
From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:43 PM
To: Piper, Maya <Piper.Maya@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks for this, Maya! We'll use for the outgoing emails.

Best,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA [issued cancellation orders](#) outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette

<Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra

Sent: Tuesday, October 27, 2020 11:26 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Tuesday, October 27, 2020 11:19 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 10:59 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 10:17 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch

Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSPP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSPP IO is looking for more details. I assume OCSPP IO will need to see the draft email as well.

10/27 TBD Head's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie
10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSPP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSPP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSPP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Monday, October 26, 2020 11:35 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)

Communications Branch

Office of Chemical Safety and Pollution Prevention

U.S. Environmental Protection Agency

Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>

Sent: Monday, October 26, 2020 9:23 AM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted “etc.” below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (*she/her/hers*)
Communications Branch

Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Saturday, October 24, 2020 11:27 AM

To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>

Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: Piper, Maya [Piper.Maya@epa.gov]
Sent: 10/27/2020 8:53:29 PM
To: Picone, Kaitlin [Picone.Kaitlin@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]; O'Neill, Sandra [ONeill.Sandra@epa.gov]
CC: Emdur, Zoe [Emdur.Zoe@epa.gov]; Ricciardi, Rachel [Ricciardi.Rachel@epa.gov]; LaPointe, Loren [LaPointe.Loren@epa.gov]; Hopkins, Yvette [Hopkins.Yvette@epa.gov]; Wire, Cindy [Wire.Cindy@epa.gov]; Garcia, Beth [garcia.beth@epa.gov]; Cyran, Carissa [Cyran.Carissa@epa.gov]
Subject: RE: Detailed schedule for dicamba roll-out?

FYI

-UPDATE-

The press call has been pushed back. The tick tock for the rest of the day now looks like the following:

10/27	4:30 PM	Dicamba head's up email to states and EPA LCRD directors	OCSPP/OPS/ICRB
10/27	4:30 PM	Dicamba head's up email to USDA OPMP	OPP/IO
10/27	4:30 PM	Dicamba head's up email to regional ag advisors	Carrie/Megan
10/27	5:30 PM	Dicamba Press Call with Alex	OPA
10/27	5:30 PM	Dicamba docket goes	
live			OCSPP/OPS/CISD- Earl
10/27	5:45 PM	Dicamba Web updates go	
live			OCSPP/OPP/ITRMD
10/27	6:00 PM	OPA issues Dicamba Press Release	OPA
10/27	6:05 PM	OPP sends Dicamba OPP	
Update			OCSPP/OPS/CISD - Maya
10/27	6:05 PM	Notify tribal and congressional	
contacts			OCSPP/OPS/ICRB w/OCIR

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Piper, Maya
Sent: Tuesday, October 27, 2020 4:47 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <Lapointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

For your awareness, OPA sent us the wrong version of the press release earlier. Allison is working to get the correct version from OPA right now. It's not likely to drastically impact your draft email below, but there may be a few small changes. I'll send it over as soon as I get it.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Sent: Tuesday, October 27, 2020 4:21 PM

To: Dennis, Allison <Dennis.Allison@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

How's this (shorter version +all of the control measures):

Today EPA plans to announce the approval of new registrations for two "over the top" (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extension of the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. All three registrations include stringent control measures to protect the environment, including non-target plants, animals, and other crops not tolerant to dicamba. These registrations are only for use on dicamba-tolerant (DT) cotton and DT soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

Additional information will be available in the press release later today.

From: Dennis, Allison <Dennis.Allison@epa.gov>

Sent: Tuesday, October 27, 2020 4:15 PM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Since this is only a *head's up*, I won't want to give away all the details of the announcement (we know these head's up emails get immediately leaked to press....) So, how about we say something like (feel free to finesse!) - Allison

EPA plans to announce the 2020 dicamba registration decision later today. As our partner, we want to make sure you were aware of this anticipated announcement of national significance and are aware of some of its key aspects. Through this action, EPA will be approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control

measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba. Some of these new control measures include:

- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

We will share the agency's press release with you after it is issued....blah blah blah

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 3:56 PM

To: Piper, Maya <Piper.Maya@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>

Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Allison,

As part of the comms plan for the 2020 dicamba decision, the Intergovernmental & Community Relations Branch will be sending the following info. from the press release to regions at states at 4:30 PM. Pplease let us know if you have any comments – thanks!

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) – At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

Through today's action, EPA approved new registrations for two "over-the-top" (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority FIFRA section 24 gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and in 2018. In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Best,

Sandra O'Neill
Government Liaison & SFIREG Project Officer
Intergovernmental & Community Relations Branch
Mission Support Division || Office of Program Support/OCSP || U.S. EPA || 919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:52 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thank you! Feel free to have Allison review before sending.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:48 PM
To: Piper, Maya <Piper.Maya@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Got it – we'll make sure to take out the following quote:

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:45 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Great! Also, Allison asked that we do not include the quote.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:43 PM
To: Piper, Maya <Piper.Maya@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks for this, Maya! We'll use for the outgoing emails.

Best,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA [issued cancellation orders](#) outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette

<Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra

Sent: Tuesday, October 27, 2020 11:26 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Tuesday, October 27, 2020 11:19 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 10:59 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 10:17 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch

Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSPP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSPP IO is looking for more details. I assume OCSPP IO will need to see the draft email as well.

10/27 TBD Head's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie
10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSPP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSPP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSPP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Monday, October 26, 2020 11:35 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)

Communications Branch

Office of Chemical Safety and Pollution Prevention

U.S. Environmental Protection Agency

Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>

Sent: Monday, October 26, 2020 9:23 AM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted “etc.” below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
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10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (*she/her/hers*)
Communications Branch

Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Saturday, October 24, 2020 11:27 AM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>
Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Sent: 10/27/2020 7:30:53 PM
To: Picone, Kaitlin [Picone.Kaitlin@epa.gov]
CC: Ryan, Emily [ryan.emily@epa.gov]; Ricciardi, Rachel [Ricciardi.Rachel@epa.gov]; LaPointe, Loren [LaPointe.Loren@epa.gov]; Hopkins, Yvette [Hopkins.Yvette@epa.gov]; Wire, Cindy [Wire.Cindy@epa.gov]; Hauff, Amanda [Hauff.Amanda@epa.gov]
Subject: RE: Detailed schedule for dicamba roll-out?
Attachments: RE: Dicamba & AEZ rollout

Kaitlin,

Looking to confirm that for the regional/state distribution, we go with this final PR? Seems that it would be the case, but just want to confirm it's the final PR one over the short version of the draft press release (included in the attached email)?

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-

tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont

FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra
Sent: Tuesday, October 27, 2020 11:26 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <Lapointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 11:19 AM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 10:59 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Tuesday, October 27, 2020 10:17 AM

To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSPP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSPP IO is looking for more details. I assume OCSPP IO will need to see the draft email as well.

10/27 TBD Head's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie
10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSPP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSPP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSPP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Monday, October 26, 2020 11:35 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
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10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)

Communications Branch

Office of Chemical Safety and Pollution Prevention

U.S. Environmental Protection Agency

Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>

Sent: Monday, October 26, 2020 9:23 AM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted "etc." below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
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10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (she/her/hers)

Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Saturday, October 24, 2020 11:27 AM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>
Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: Ricciardi, Rachel [Ricciardi.Rachel@epa.gov]
Sent: 10/27/2020 6:45:45 PM
To: Hauff, Amanda [Hauff.Amanda@epa.gov]
CC: Picone, Kaitlin [Picone.Kaitlin@epa.gov]; O'Neill, Sandra [ONeill.Sandra@epa.gov]; Hopkins, Yvette [Hopkins.Yvette@epa.gov]; Wire, Cindy [Wire.Cindy@epa.gov]; Ryan, Emily [ryan.emily@epa.gov]; LaPointe, Loren [LaPointe.Loren@epa.gov]
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout
Attachments: RE: Detailed schedule for dicamba roll-out?

Hi Amanda,

See the updated schedule (attached), as the announcement should go out at 5:40 PM to your tribal and EJ listservs. And yes, I'll send the announcement to the TPPC!

-Rachel

From: Hauff, Amanda <Hauff.Amanda@epa.gov>
Sent: Tuesday, October 27, 2020 2:36 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Confirmed, received email.

Rachel/Emily only have access to the TPPC listserv. I have access to the full national tribal and EJ networks. I will log on and send at 5:15pm and then Rachel/Emily can forward as normal. Thanks!

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 2:06 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: Timing UPDATED to 4:30PM: Dicamba rollout

All-timing has shifted back an hour.

10/27	4:30 PM	Dicamba head's up email to states and EPA LCRD directors
10/27	5:15 PM	Notify tribal and congressional contacts OCSP/OPS/ICRB w/OCIR

Sandra & Amanda—please confirm you received this so I don't pester you to confirm.

Amanda—Rachel can assist with TPPC, tribal, and other EJ distribution as this is after hours for you.

Thanks,
Kaitlin

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 12:20 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel

<Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Dicamba & AEZ rollout

Hi All—putting this all together in one ICRB email.

Dicamba Tick Tock

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Sandra: Notify AAPCO & Regional list serves @ 3:30

Amanda: Notify tribes, EJ list serves @ 4:15

Short version of the *draft* press release for AAPCO/Regions notification prior to the press release going out. Note that we may need to do a final review/revision once the press release is final.

Notification: 2020 EPA Dicamba Registration Decision

Today EPA announced the next step for dicamba registration. EPA approved new registrations for two “over the top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide— and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. All three registrations include stringent control measures to protect the environment, including non-target plants, animals, and other crops not tolerant to dicamba. These registrations are only for use on dicamba-tolerant (DT) cotton and DT soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with over-the-top dicamba products prior to all applications to control volatility;
- More than doubling the size of required downwind buffers compared to the 2018 OTT dicamba labels; in counties where endangered species may exist, the required buffers are even bigger;
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30;
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba; and
- Implementing new measures that consider how dicamba can affect endangered species and the resources that they may depend on.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the Agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted scientific

assessments based on the best available science, including making an Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. After completing its Effects Determinations for dicamba uses on DT cotton and soybeans, EPA concluded that with the control measures now required on labels, these actions do not affect endangered or threatened species.

EPA will continue to work with its state partners to monitor for off-target damage.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 8:39 AM

To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Dicamba & AEZ rollout

Hi Kaitlin and welcome back, Yvette!

For distributions to the various groups, you've got it right. I would send to the regions, and Yvette or I would send to AAPCO/SFIREG, and Amanda for tribes. In the past, we'd sometimes only sent to TPPC, but we likely should have sent to the broader listserv that includes all tribes and not just TPPC, which Amanda has. I've also included Emily, Rachel, and Loren so that we can all be on the same page.

Regarding the content for the emails – we ask the Communications Branch to inform and provide what the final content is to go out to the various groups. As of now, I'm not certain if it will be the press release, or a different write-up. Will be good to have the meeting at 11.

Thanks much!

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Sent: Monday, October 26, 2020 7:30 PM

To: Hopkins, Yvette <Hopkins.Yvette@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>

Subject: Dicamba & AEZ rollout

Hi All,

Things are moving fast with dicamba and AEZ this week. As of today, ICRB has been asked to handle email announcements tomorrow to regions, states (both at 3:30pm when the Administrator's event begins and the web updates go live) and tribes (at 4:14 just prior to the OPP update). I set up a call to chat more tomorrow at 11. I understand that Sandra typically sends announcements to the Regions, Yvette to SFIREG/AAPCO, and Amanda to the

distribution list for tribes. Please let me know if that's not correct, or if you can't be available for distribution at that time.

Does everyone draft their own email to each group, sticking pretty closely to the press release? Or has there been one email that is then circulated to the different groups? Just trying to understand the process for generating the email notifications given the short time frame. I'm attaching the current draft press release. **Please treat as close hold** and do not circulate further.

Except for the TPPC call that Amanda is helping to set up, all other notifications are being scheduled by the OCSP-IO.

We'll have another round of excitement with slightly more time when we repeat this again on Thursday with WPS/AEZ.

Let me know if you have any additional concerns at this point, and we can talk more about the rollout at 11am.

Thanks,
Kaitlin

Kaitlin Keller Picone
Chief, Intergovernmental & Community Relations Branch
Mission Support Division, Office of Program Support
U.S. EPA Office of Chemical Safety & Pollution Prevention
Office: (703) 347-0378
Cell: (202) 878-1451

Message

From: Wire, Cindy [Wire.Cindy@epa.gov]
Sent: 10/28/2020 12:00:38 AM
To: Picone, Kaitlin [Picone.Kaitlin@epa.gov]; OPS MSD ICRB [OPS_MSD_ICRB@epa.gov]
Subject: RE: EPA Announces 2020 Dicamba Registration Decision

Yes, thanks Sandra, Amanda and Rachel for taking care of this today, and for keeping the B Team in the loop. Let us know if there is follow-up in the next day or two we should be aware of.

Nice teamwork!

Cindy Wire
PREP Coordinator & Region, State, Tribal Liaison
US EPA Office of Chemical Safety & Pollution Prevention
San Francisco, CA
Phone: 415-947-4242

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 4:26 PM
To: OPS MSD ICRB <OPS_MSD_ICRB@epa.gov>
Subject: FW: EPA Announces 2020 Dicamba Registration Decision

Huge thank you to Sandra, Amanda, and Rachel for sending out the dicamba notifications to our regional, state, and tribal partners today, and to Cindy and Yvette for being on standby to assist! Really appreciated the teamwork and willingness to pitch in today. Thanks all.

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today's action, EPA approved new registrations for two "over-the-top" (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium Plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- Requiring a downwind buffer of 240 feet and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determinations under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

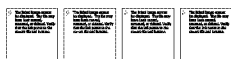
Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA [issued cancellation orders](#) outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

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Washington, D.C. 20004

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Message

From: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Sent: 10/27/2020 11:44:21 PM
To: Dibblee, Seth [Dibblee.Seth@epa.gov]
CC: Garcia, Beth [garcia.beth@epa.gov]; Picone, Kaitlin [Picone.Kaitlin@epa.gov]
Subject: RE: EPA Announces 2020 Dicamba Decision

Seth,

Thanks very much for this feedback. The communications for this Administrator level announcement were handled at the highest levels, but we do know there will be some calls scheduled for Friday that we'll be able to provide some more info. on tomorrow.

We can certainly pass on this info. as a request for future communications.

Thanks again, Seth, and have a good night ☺

Sandra O'Neill
919-323-7926

From: Dibblee, Seth <Dibblee.Seth@epa.gov>
Sent: Tuesday, October 27, 2020 7:38 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: EPA Announces 2020 Dicamba Decision
Importance: High

Hi, Sandra:

I don't know whether you are aware of this practice (I think Emily Ryan or another GISB staffer did this in the past), but when major registration decisions are about to be announced, OPP has typically convened two short (30 minutes or less) teleconferences, either the day of the announcement or the day before. Typically they are adjacent; the first is for the Regional FIFRA Supervisors and Contacts and the second is for the FIFRA State Lead Agencies.

In the past, these teleconferences have been a chance for the regions and state co-regulators to get a heads up on the decision before industry does, so that they can field the questions that inevitably follow. Speaking for myself, I think it's a very important courtesy to maintain. Otherwise, our partners feel blindsided by the EPA press release (which typically has a different audience, in any case).

In past teleconferences, typically the Product Manager, RD or PRD branch chief give a summary of the decision and its key features (much like you did below—thank you!). On occasion the OPP and/or the Division Director speaks briefly, as well. The value added in this format is typically a brief statement of the factors that went into the decision, what was considered and perhaps what data was insufficient. This is programmatic information for those who implement FIFRA, and less about the general public who read our press releases. I realize that these short-notice teleconferences may seem somewhat *pro forma* for OPP staff, but they are helpful, especially for high-profile decisions.

As you know, with dicamba our states have spent a substantial amount of effort supplying field data for several years to support OPP's decision, and unless EPA gives some explanation of how that data was factored into the decision, the states feel like their effort was for naught. For example, my annual review with the Office of Indiana State Chemist is tomorrow morning, and you **know** I will get an earful from Dave Scott! Regardless of the OPP decision, it's a trust-

building tactic with our FIFRA SLAs. And in the case of dicamba, we all need to know how this decision relates to the Appellate court decision earlier this summer.

So, I strongly encourage you and your new organizational team in OSP to restore this advance notice procedure, if at all possible.

Please let me know if you have any questions. Thanks very much!

sd

PS: I am copying the Lead Region Coordinator, but I haven't elevated this to management. It's just my sense from the front lines. My guess is that you will hear from the regional supervisors and managers soon enough if they start to miss these announcements.

+++ --- +++ --- +++ --- +++ --- +++

Seth Dibblee
Environmental Scientist, Integrated Pest Management
TSCA & Pesticides Section, Land and Chemicals Branch (LL-17J)
U. S. EPA Region 5 – Chicago, IL
(312) 886-5992
dibblee.seth@epa.gov

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 5:49 PM
To: FIFRA Regional Supervisors <FIFRA_Regional_Supervisors@epa.gov>; FIFRA Regional Contacts <FIFRA_Regional_Contacts@epa.gov>
Subject: EPA Announces 2020 Dicamba Decision

Greetings all,

Please see below for the press release on EPA's Announcement of the 2020 Dicamba Decision. A good night to all.

Sandra O'Neill
Government Liaison & SFIREG Project Officer
Intergovernmental & Community Relations Branch
Mission Support Division || Office of Program Support/OCSP || U.S. EPA || 919-323-7926

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) – At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new

control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler**. “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium Plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- Requiring a downwind buffer of 240 feet and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determinations under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA’s 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

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Message

From: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Sent: 10/27/2020 11:40:24 PM
To: Picone, Kaitlin [Picone.Kaitlin@epa.gov]
Subject: RE: EPA Announces 2020 Dicamba Registration Decision

Thanks so much, Kaitlin!

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 7:26 PM
To: OPS MSD ICRB <OPS_MSD_ICRB@epa.gov>
Subject: FW: EPA Announces 2020 Dicamba Registration Decision

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To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

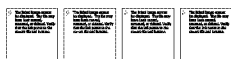
Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA [issued cancellation orders](#) outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

###

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 10/27/2020 8:35:44 PM
To: Dennis, Allison [Dennis.Allison@epa.gov]
CC: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Subject: RE: Detailed schedule for dicamba roll-out?

Sandra—just talked to Allison. Please use this version and send the press release afterward.

From: Picone, Kaitlin
Sent: Tuesday, October 27, 2020 4:33 PM
To: Dennis, Allison <Dennis.Allison@epa.gov>
Cc: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

To clarify-This is just going to the Regions and AAPCO, not to reporters. Do you just want to say that we are announcing it? It seems odd to only include some measures to the Regions and states though. I've just included the key measures.

Today EPA plans to announce the approval of new registrations for two “over the top” (OTT) dicamba products and extension of the registration for an additional OTT dicamba product. All three registrations include stringent control measures to protect the environment, including non-target plants, animals, and other crops not tolerant to dicamba. These registrations are only for use on dicamba-tolerant (DT) cotton and DT soybeans and will expire in 2025.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures. Some of these new control measures include:

- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.

Additional information will be available in the press release later today.

From: Dennis, Allison <Dennis.Allison@epa.gov>
Sent: Tuesday, October 27, 2020 4:27 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Again, this basically is our entire announcement. Anyway you can pull back a bit more? I want reporters to read our Pr and they won't once they have the basic details contained below

Sent from my iPhone

On Oct 27, 2020, at 4:21 PM, Picone, Kaitlin <Picone.Kaitlin@epa.gov> wrote:

How's this (shorter version +all of the control measures):

Today EPA plans to announce the approval of new registrations for two “over the top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide— and extension of the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. All three registrations include stringent control measures to protect the environment, including non-target plants, animals, and other crops not tolerant to dicamba. These registrations are only for use on dicamba-tolerant (DT) cotton and DT soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

Additional information will be available in the press release later today.

From: Dennis, Allison <Dennis.Allison@epa.gov>

Sent: Tuesday, October 27, 2020 4:15 PM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Since this is only a *head's up*, I won't want to give away all the details of the announcement (we know these head's up emails get immediately leaked to press....) So, how about we say something like (feel free to finesse!) - Allison

EPA plans to announce the 2020 dicamba registration decision later today. As our partner, we want to make sure you were aware of this anticipated announcement of national significance and are aware of some of its key aspects. Through this action, EPA will be approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba. Some of these new control measures include:

- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.

- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

We will share the agency's press release with you after it is issued....blah blah blah

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 3:56 PM

To: Piper, Maya <Piper.Maya@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>

Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Allison,

As part of the comms plan for the 2020 dicamba decision, the Intergovernmental & Community Relations Branch will be sending the following info. from the press release to regions at states at 4:30 PM. Please let us know if you have any comments – thanks!

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) – At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

Through today's action, EPA approved new registrations for two "over-the-top" (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use

of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA [issued cancellation orders](#) outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Best,

Sandra O'Neill
Government Liaison & SFIREG Project Officer
Intergovernmental & Community Relations Branch
Mission Support Division II Office of Program Support/OCSP II U.S. EPA II 919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:52 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thank you! Feel free to have Allison review before sending.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:48 PM
To: Piper, Maya <Piper.Maya@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Got it – we'll make sure to take out the following quote:

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler**. “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:45 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Great! Also, Allison asked that we do not include the quote.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:43 PM
To: Piper, Maya <Piper.Maya@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks for this, Maya! We'll use for the outgoing emails.

Best,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the

Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra

Sent: Tuesday, October 27, 2020 11:26 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Tuesday, October 27, 2020 11:19 AM

To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 10:59 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 10:17 AM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO

10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSP IO is looking for more details. I assume OCSP IO will need to see the draft email as well.

10/27 TBD Head's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie
10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 11:35 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 9:23 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted "etc." below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB

10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Saturday, October 24, 2020 11:27 AM

To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>

Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>

Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 10/27/2020 8:14:41 PM
To: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Subject: RE: Detailed schedule for dicamba roll-out?

Yes—with the quote removed I think it's okay to send.

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 4:14 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Kaitlin,

If we don't hear back from Allison by 4:30, should we go ahead with emails to regions/states (final PR release minus the Wheeler quote?) or wait for an Allison approval?

My take is that we go ahead. Thoughts?

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra
Sent: Tuesday, October 27, 2020 3:56 PM
To: Piper, Maya <Piper.Maya@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <Lapointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Allison,

As part of the comms plan for the 2020 dicamba decision, the Intergovernmental & Community Relations Branch will be sending the following info. from the press release to regions at states at 4:30 PM. Pplease let us know if you have any comments – thanks!

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) – At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

Through today's action, EPA approved new registrations for two "over-the-top" (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-

tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA's 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA's 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and [in 2018](#). In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont

FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Best,

Sandra O'Neill
Government Liaison & SFIREG Project Officer
Intergovernmental & Community Relations Branch
Mission Support Division II Office of Program Support/OCSP II U.S. EPA II 919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:52 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thank you! Feel free to have Allison review before sending.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:48 PM
To: Piper, Maya <Piper.Maya@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Emdur, Zoe <Emdur.Zoe@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Got it – we'll make sure to take out the following quote:

“With today's decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:45 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Great! Also, Allison asked that we do not include the quote.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:43 PM
To: Piper, Maya <Piper.Maya@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks for this, Maya! We'll use for the outgoing emails.

Best,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler**. “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA’s 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world’s leading soybean producer and second-leading soybean exporter and also serves as the world’s third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S.

cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and in 2018. In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention

U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra
Sent: Tuesday, October 27, 2020 11:26 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <Lapointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 11:19 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette

<Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 10:59 AM

To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>

Sent: Tuesday, October 27, 2020 10:17 AM

To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB

ED_005570D_00092045-00008

10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSPP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSPP IO is looking for more details. I assume OCSPP IO will need to see the draft email as well.

10/27 TBD Head's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie
10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSPP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSPP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSPP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 11:35 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 9:23 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted “etc.” below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD

10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Saturday, October 24, 2020 11:27 AM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>
Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 10/27/2020 7:40:29 PM
To: Hauff, Amanda [Hauff.Amanda@epa.gov]; Ricciardi, Rachel [Ricciardi.Rachel@epa.gov]
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Thank you both! 5:40 it is!

From: Hauff, Amanda <Hauff.Amanda@epa.gov>
Sent: Tuesday, October 27, 2020 3:01 PM
To: Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Thank you for sharing that other email! Got it!

From: Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>
Sent: Tuesday, October 27, 2020 2:46 PM
To: Hauff, Amanda <Hauff.Amanda@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Hi Amanda,
See the updated schedule (attached), as the announcement should go out at 5:40 PM to your tribal and EJ listservs. And yes, I'll send the announcement to the TPPC!
-Rachel

From: Hauff, Amanda <Hauff.Amanda@epa.gov>
Sent: Tuesday, October 27, 2020 2:36 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Confirmed, received email.

Rachel/Emily only have access to the TPPC listserv. I have access to the full national tribal and EJ networks. I will log on and send at 5:15pm and then Rachel/Emily can forward as normal. Thanks!

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 2:06 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: Timing UPDATED to 4:30PM: Dicamba rollout

All-timing has shifted back an hour.

10/27 4:30 PM Dicamba head's up email to states and EPA LCRD directors
10/27 5:15 PM Notify tribal and congressional contacts OCSP/OPS/ICRB w/OCIR

Sandra & Amanda—please confirm you received this so I don't pester you to confirm.

Amanda—Rachel can assist with TPPC, tribal, and other EJ distribution as this is after hours for you.

Thanks,
Kaitlin

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 12:20 PM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Dicamba & AEZ rollout

Hi All—putting this all together in one ICRB email.

Dicamba Tick Tock

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSP/OPS/ICRB w/OCIR

Sandra: Notify AAPCO & Regional list serves @ 3:30

Amanda: Notify tribes, EJ list serves @ 4:15

Short version of the *draft* press release for AAPCO/Regions notification prior to the press release going out.
Note that we may need to do a final review/revision once the press release is final.

Notification: 2020 EPA Dicamba Registration Decision

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 8:39 AM

To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Dicamba & AEZ rollout

Hi Kaitlin and welcome back, Yvette!

For distributions to the various groups, you've got it right. I would send to the regions, and Yvette or I would send to AAPCO/SFIREG, and Amanda for tribes. In the past, we'd sometimes only sent to TPPC, but we likely should have sent to the broader listserv that includes all tribes and not just TPPC, which Amanda has. I've also included Emily, Rachel, and Loren so that we can all be on the same page.

Regarding the content for the emails – we ask the Communications Branch to inform and provide what the final content is to go out to the various groups. As of now, I'm not certain if it will be the press release, or a different write-up. Will be good to have the meeting at 11.

Thanks much!

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Monday, October 26, 2020 7:30 PM
To: Hopkins, Yvette <Hopkins.Yvette@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>
Subject: Dicamba & AEZ rollout

Hi All,

Things are moving fast with dicamba and AEZ this week. As of today, ICRB has been asked to handle email announcements tomorrow to regions, states (both at 3:30pm when the Administrator's event begins and the web updates go live) and tribes (at 4:14 just prior to the OPP update). I set up a call to chat more tomorrow at 11. I understand that Sandra typically sends announcements to the Regions, Yvette to SFIREG/AAPCO, and Amanda to the distribution list for tribes. Please let me know if that's not correct, or if you can't be available for distribution at that time.

Does everyone draft their own email to each group, sticking pretty closely to the press release? Or has there been one email that is then circulated to the different groups? Just trying to understand the process for generating the email notifications given the short time frame. I'm attaching the current draft press release. **Please treat as close hold** and do not circulate further.

Except for the TPPC call that Amanda is helping to set up, all other notifications are being scheduled by the OCSPP-IO.

We'll have another round of excitement with slightly more time when we repeat this again on Thursday with WPS/AEZ.

Let me know if you have any additional concerns at this point, and we can talk more about the rollout at 11am.

Thanks,
Kaitlin

Kaitlin Keller Picone
Chief, Intergovernmental & Community Relations Branch
Mission Support Division, Office of Program Support
U.S. EPA Office of Chemical Safety & Pollution Prevention
Office: (703) 347-0378
Cell: (202) 878-1451

Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 10/27/2020 7:38:31 PM
To: O'Neill, Sandra [ONeill.Sandra@epa.gov]
CC: Ryan, Emily [ryan.emily@epa.gov]; Ricciardi, Rachel [Ricciardi.Rachel@epa.gov]; LaPointe, Loren [Lapointe.Loren@epa.gov]; Hopkins, Yvette [Hopkins.Yvette@epa.gov]; Wire, Cindy [Wire.Cindy@epa.gov]; Hauff, Amanda [Hauff.Amanda@epa.gov]
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks for following up to make sure we're on the same page Sandra. Given the time we are working with, let's defer to CB's preference to just share the final press release from Maya in the emails. However, moving forward it seems to me that a shorter version would make sense for heads up notifications but I'll discuss with Greg for future announcements. Thanks!

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:31 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Kaitlin,

Looking to confirm that for the regional/state distribution, we go with this final PR? Seems that it would be the case, but just want to confirm it's the final PR one over the short version of the draft press release (included in the attached email)?

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 3:18 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Lara, Rhina <Lara.Rhina@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi all,

Here is the final PR:

EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba

products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler**. “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- A downwind buffer of 240 feet will be required and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determination under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA’s 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and in 2018. In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 12:22 PM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks very much, Rhina

Sandra O'Neill
919-323-7926

From: Lara, Rhina <Lara.Rhina@epa.gov>
Sent: Tuesday, October 27, 2020 11:48 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We will share the latest version of the press release with you shortly, but yes, that is what we would distribute to the regions and states in the heads up email.

Best,
Rhina M. Lara (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Phone: (202) 815- 5722

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Garcia, Diego <Garcia.Diego01@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Sorry, meant to also confirm that we'll partner with Beth Garcia to get the dicamba announcement to the Regional Directors, and we'll get it to the regional supervisors and contacts as well.

Lastly – we're using the version of the Press Release we have for sending the announcement to the regions. If a different document is envisioned for distribution to the regions and states, please let us know.

Thanks again,

Sandra O'Neill
919-323-7926

From: O'Neill, Sandra
Sent: Tuesday, October 27, 2020 11:26 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <Lapointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks, Maya. A notification that includes all details would be helpful for AAPCO to be able to distribute and wouldn't be harmful at that point, so ICRB would continue planning to send them a notification at 3:30 as is noted in the Tick Tock table, unless we hear otherwise.

Regarding OCIR reaching out to congressional contacts, we assume they will continue to perform this as they have in past messages. You may want to reach out to Seven-Erik Kaiser to confirm OCIR is doing in the loop.

Thanks again,

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 11:19 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra,

Unless your team thinks otherwise, you may not need to reach out to AAPCO today. Alex and Ed are notifying Leo Reed, the president of AAPCO, and Barb Glenn, CEO of NASDA, on a call prior to the 3:30 p.m. announcement today.

We will definitely still need your help reaching out to LCRD directors (as well as any other groups you've identified) at 3:30 p.m. and tribal contacts at 4:15 p.m. It sounds like OCIR will reach out to congressional contacts at 4:15 p.m. Is that correct?

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 10:59 AM
To: Piper, Maya <Piper.Maya@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya,

For the states, we reach out to a national organization representing the states implementing FIFRA on the ground: the American Association of Pesticide Control Officials (AAPCO). Amy Sullivan is their Executive Secretary and she forwards the info. to their members.

Sandra O'Neill
919-323-7926

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Tuesday, October 27, 2020 10:17 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Sandra,

We are still working to finalize the press release. We will try to get that to you by noon today. Also, can you provide who exactly from the states you will be contacting? OCSPP IO is simply interested in knowing—it's not urgent and doesn't need to be provided today. Here is the latest schedule:

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSPP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMPOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSPP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Thank you!

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 1:30 PM
To: Cyran, Carissa <Cyran.Carissa@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Carissa,

Thanks much for the updated plan. ICRB can plan to email the regions, states, and tribes on the dicamba decision tomorrow at 3:30 PM. We'll be on standby for the final materials to send to these groups, will that be the press release, OPP Update, or another material? Also want to add that we wouldn't be the first point of contact for congressional outreach at 4:14 PM.

Thanks,

Sandra O'Neill
919-323-7926

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 12:16 PM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

I've copied the current proposed schedule below. OCSPP IO currently does have a heads-up email in the schedule. Do you have any additional specific information? OCSPP IO is looking for more details. I assume OCSPP IO will need to see the draft email as well.

10/27TBDHead's up call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Alex, Ed, Carrie

10/27 3:30 pm Email to states, regions, USDA, NASDA, etc. of decision OCSPP/OPS/ICRB
10/27 3:30 pm Administrator event begins EPA Administrator
10/27 3:30 pm Web updates go live OCSPP/OPP/ITRMD
10/27 4:00 pm OPA issues Press Release OPA
10/27 4:15 pm OPP sends OPP Update OCSPP/OPS/CB - Maya
10/27 4:14 pm Notify tribal, congressional, intergovernmental & others OCSPP/OPS/ICRB

From: Cyran, Carissa <Cyran.Carissa@epa.gov>
Sent: Monday, October 26, 2020 11:54 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Re: Detailed schedule for dicamba roll-out?

Good morning,

Yes, Ed and Alex will be making heads-up calls prior to the announcement. Let me confirm that no emails are needed states and regions. I will circle back ASAP.

Thank you,

Carissa

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 11:35 AM
To: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Thanks Sandra. I'm looping in Carissa who I think will have more up-to-date information. Carissa—Sandra mentioned that Alex/ED are planning to reach out individually to a AAPCO/SFIREG leader in advance of the dicamba public announcement, with no formal email going out to the states and regions. Is that correct? Rhina and I have the following schedule that hasn't been updated since Thursday:

Dicamba Tick Tock

Date	Time	Activity	Champion
10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Sent: Monday, October 26, 2020 9:23 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning all,

Thanks for the dicamba tick tock table. Glad we're on the same email chain so we can clarify the comms plan. A couple questions - ICRB had understood from a call on Friday regarding the dicamba roll-out that senior leaders (Alex or Ed) would reach out individually to an AAPCO/SFIREG leader via a call as a head's up a little in advance of the public announcement, with no formal email going out to the states and regions. From the table below, it looks like ICRB will be sending out an email to the regions and states at 3:30 pm tomorrow. Can we confirm if the table is the path to follow?

If we follow the table, also want to clarify ICRB has contacts for regions, states, and tribes; however, not as much for NASDA, USDA, and congressional offices. However, we can work with any EPA folks who have these contacts to get any final material out to the right stakeholders.

Thanks in advance for any info.

Sandra O'Neill
919-323-7926

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, October 26, 2020 8:24 AM
To: Piper, Maya <Piper.Maya@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Hi Maya:

Thanks for getting back to me with this draft schedule. I will forward this to RD's management and get back to you with any feedback. Also, will any pre-3:30pm release of information be made to the press? RD's understanding is that this sometimes happens prior to officially issuing decisions so the reporters have article content pre-written.

- Meg

From: Piper, Maya <Piper.Maya@epa.gov>
Sent: Monday, October 26, 2020 8:20 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>
Cc: Lara, Rhina <Lara.Rhina@epa.gov>
Subject: RE: Detailed schedule for dicamba roll-out?

Good morning,

I hope you're doing well. Rhina and I wanted to check in and see if ICRB is all set to notify stakeholders tomorrow prior and after the release of the dicamba registration decision. Meg—any input on the highlighted "etc." below? I'm assuming ICRB will need to know the exact stakeholders they need to contact, but Sandra, you can verify that. Also Sandra, do you have any idea what time tribal, congressional, intergovernmental, and other stakeholders need to be contacted after the 4 p.m. release?

Dicamba Tick Tock

Date	Time	Activity	Champion
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10/27	3:30 pm	Notify states, regions, USDA, NASDA, etc. of decision	OCSPP/OPS/ICRB
10/27	3:30 pm	Administrator event begins	EPA Administrator
10/27	3:30 pm	Web updates go live	ITRMD
10/27	4 pm	OPA issues Press Release	OPA
10/27	4 pm	OPP sends OPP Update	OPS/CB - Maya Piper
10/27	?	Notify tribal, congressional, intergovernmental and other stakeholders	OCSPP/OPS/ICRB

Thanks,

Maya Piper (*she/her/hers*)
Communications Branch
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
Office: (202) 731-8966 | Cell: (231) 493-2745

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Saturday, October 24, 2020 11:27 AM
To: Lara, Rhina <Lara.Rhina@epa.gov>; Piper, Maya <Piper.Maya@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Cyran, Carissa <Cyran.Carissa@epa.gov>; Greene, Tylar <Greene.Tylar@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>
Subject: Detailed schedule for dicamba roll-out?

Hi Rhina and Maya:

What is the detailed scheduled for the dicamba decision rollout next week? RD wants to know what's planned hour by hour. Also, what is the plan in particular for telling the states about the decision?

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 10/27/2020 7:09:37 PM
To: O'Neill, Sandra [ONEILL.Sandra@epa.gov]
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Thanks!

From: O'Neill, Sandra <ONEILL.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 3:06 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Got it, I'll make sure to be careful in the future ☺

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 2:42 PM
To: O'Neill, Sandra <ONEILL.Sandra@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Thanks the additional context—I do appreciate it and I agree that Beth will not distribute. I know I'm overly cautious—(I blame it on being in the OCSPP-IO too long!) but also very aware that the contents of the announcement itself have been closely kept (you'll notice CB staff hasn't actually shared it with ICRB staff yet).

From: O'Neill, Sandra <ONEILL.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 2:25 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Hi Kaitlin, Beth has been through these drills with us a number of times and as a central point for distributing to the regions, is well briefed on not distributing info. in advance of the target time. She actually already received the info. on the updated release time via a different channel (she often has access to OCSPP IO/or what is now OPS IO where I do not) and was going to inform me of the update as well.

Because Beth is careful and knows not to forward sensitive info., it may be beneficial to keep her in the loop with details associated with regional distribution. In different communications, CSB also worked directly with her to distribute info. to the regions, bypassing what was then GISB. It seems that oftentimes when we run through one of these communication exercises, the players change and may be advantageous to keep her in the loop for future communications.

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 2:16 PM

To: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Hi Sandra—I'm assuming Beth will keep this close hold as well for the next hour, or likely already has the info, but this email chain includes the bulk of the announcement. In the future- can you remove the close hold info when looping others in? I don't want us to share information in advance of the OCSPP-IO's announcements.

Thanks,
Kaitlin

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>
Sent: Tuesday, October 27, 2020 2:10 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Subject: RE: Timing UPDATED to 4:30PM: Dicamba rollout

Thanks, Kaitlin – looping in Beth so she knows the emails to the RDDs will instead be coming at 4:30 PM today.

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 2:06 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: Timing UPDATED to 4:30PM: Dicamba rollout

All-timing has shifted back an hour.

10/27	4:30 PM	Dicamba head's up email to states and EPA LCRD directors
10/27	5:15 PM	Notify tribal and congressional contacts OCSPP/OPS/ICRB w/OCIR

Sandra & Amanda—please confirm you received this so I don't pester you to confirm.

Amanda—Rachel can assist with TPPC, tribal, and other EJ distribution as this is after hours for you.

Thanks,
Kaitlin

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Tuesday, October 27, 2020 12:20 PM
To: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>
Subject: RE: Dicamba & AEZ rollout

Hi All—putting this all together in one ICRB email.

Dicamba Tick Tock

10/26~5:00 PM Alex & Carrie Head's up dicamba call w/Farm Bureau, Cotton, and Soybean Derrick B.
10/27 TBD Alex/Ed/Carrie Dicamba/AEZ call w/ Barb Glenn, NASDA & Leo Reed, AAPCO Derrick B.
10/27 3:30 PM Dicamba head's up email to states, EPA LCRD directors, others OCSP/OPS/ICRB
10/27 3:30 PM Dicamba head's up email to USDA OPMOPP/IO
10/27 3:30 PM Dicamba head's up email to regional ag advisors Carrie/Megan
10/27 3:30 PM Administrator Dicamba event begins EPA Administrator
10/27 3:30 PM Dicamba Web updates go live OCSP/OPP/ITRMD
10/27 4:00 PM OPA issues Dicamba Press Release OPA
10/27 4:15 PM OPP sends Dicamba OPP Update OCSP/OPS/CB - Maya
10/27 4:15 PM Notify tribal and congressional contacts OCSP/OPS/ICRB w/OCIR

Sandra: Notify AAPCO & Regional list serves @ 3:30

Amanda: Notify tribes, EJ list serves @ 4:15

Short version of the *draft* press release for AAPCO/Regions notification prior to the press release going out.
Note that we may need to do a final review/revision once the press release is final.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

From: O'Neill, Sandra <ONeill.Sandra@epa.gov>

Sent: Tuesday, October 27, 2020 8:39 AM

To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Ricciardi, Rachel <Ricciardi.Rachel@epa.gov>; LaPointe, Loren <LaPointe.Loren@epa.gov>

Subject: RE: Dicamba & AEZ rollout

Hi Kaitlin and welcome back, Yvette!

For distributions to the various groups, you've got it right. I would send to the regions, and Yvette or I would send to AAPCO/SFIREG, and Amanda for tribes. In the past, we'd sometimes only sent to TPPC, but we likely should have sent to the broader listserv that includes all tribes and not just TPPC, which Amanda has. I've also included Emily, Rachel, and Loren so that we can all be on the same page.

Regarding the content for the emails – we ask the Communications Branch to inform and provide what the final content is to go out to the various groups. As of now, I'm not certain if it will be the press release, or a different write-up. Will be good to have the meeting at 11.

Thanks much!

Sandra O'Neill
919-323-7926

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>

Sent: Monday, October 26, 2020 7:30 PM

To: Hopkins, Yvette <Hopkins.Yvette@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Hauff, Amanda <Hauff.Amanda@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>

Subject: Dicamba & AEZ rollout

Hi All,

Things are moving fast with dicamba and AEZ this week. As of today, ICRB has been asked to handle email announcements tomorrow to regions, states (both at 3:30pm when the Administrator's event begins and the web updates go live) and tribes (at 4:14 just prior to the OPP update). I set up a call to chat more tomorrow at 11. I understand that Sandra typically sends announcements to the Regions, Yvette to SFIREG/AAPCO, and Amanda to the distribution list for tribes. Please let me know if that's not correct, or if you can't be available for distribution at that time.

Does everyone draft their own email to each group, sticking pretty closely to the press release? Or has there been one email that is then circulated to the different groups? Just trying to understand the process for generating the email

notifications given the short time frame. I'm attaching the current draft press release. **Please treat as close hold** and do not circulate further.

Except for the TPPC call that Amanda is helping to set up, all other notifications are being scheduled by the OCSPP-IO.

We'll have another round of excitement with slightly more time when we repeat this again on Thursday with WPS/AEZ.

Let me know if you have any additional concerns at this point, and we can talk more about the rollout at 11am.

Thanks,
Kaitlin

Kaitlin Keller Picone
Chief, Intergovernmental & Community Relations Branch
Mission Support Division, Office of Program Support
U.S. EPA Office of Chemical Safety & Pollution Prevention
Office: (703) 347-0378
Cell: (202) 878-1451

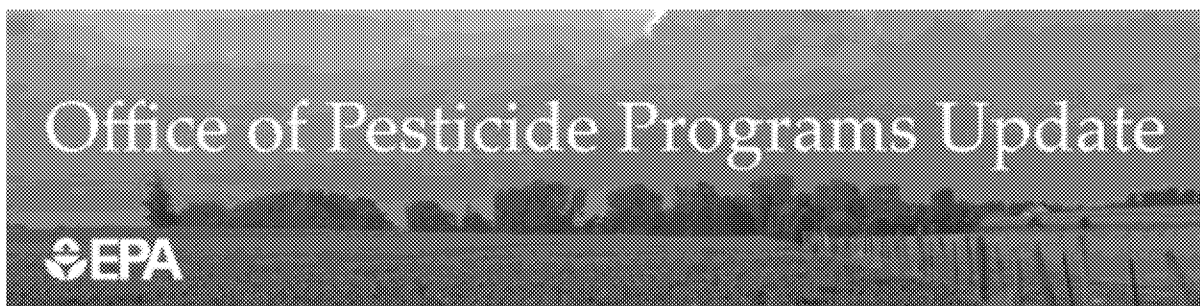
Message

From: Picone, Kaitlin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D7A6B15ADFD745C6ADA1C121DEC27AC4-KELLER, KAI]
Sent: 7/8/2020 6:44:06 PM
To: Weiner, Janet [Weiner.Janet@epa.gov]
Subject: FW: Pesticide Program Update: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

FYI

From: U.S. EPA Office of Chemical Safety and Pollution Prevention <oppt.epa@public.govdelivery.com>
Sent: Tuesday, June 9, 2020 9:53 AM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Subject: Pesticide Program Update: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

Having trouble viewing this email? [View it as a Web page.](#)



EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

WASHINGTON (June 8, 2020) — Today, the U.S. Environmental Protection Agency (EPA) issued a key order providing farmers with needed clarity following the Ninth Circuit Court of Appeals' June 3, 2020, vacatur of three dicamba registrations. Today's [cancellation order](#) outlines limited and specific circumstances under which existing stocks of the three affected dicamba products can be used for a limited period of time. EPA's order will advance protection of public health and the environment by ensuring use of existing stocks follows important application procedures.

"At the height of the growing season, the Court's decision has threatened the livelihood of our nation's farmers and the global food supply," **said EPA Administrator Andrew Wheeler.** "Today's cancellation and existing stocks order is consistent with EPA's standard practice following registration invalidation, and is designed to advance compliance, ensure regulatory certainty, and to prevent the misuse of existing stocks."

EPA's order will mitigate some of the devastating economic consequences of the Court's decision for growers, and particularly rural communities, at a time they are experiencing great stress due to the COVID-19 public health emergency.

Details of the Order

EPA's order addresses sale, distribution, and use of existing stocks of the three affected dicamba products – XtendiMax with vapor grip technology, Engenia, and FeXapan.

1. Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.
2. Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product's previously-approved label, and may not continue after July 31, 2020.

Background

On June 3, 2020, the Ninth Circuit Court of Appeals issued an order vacating EPA's pesticide registrations containing the active ingredient dicamba: Xtendimax with Vaporgrip Technology (EPA Reg. No. 524-617); Engenia – (EPA Reg. No. 7969-345); and FeXapan – (EPA Reg. No. 352-913).

Dicamba is a valuable pest control tool that farmers nationwide planned to use during the 2020 growing season. Since the Court issued its opinion, the agency has been overwhelmed with letters and calls from farmers citing the devastation of this decision on the millions of acres of crops, millions of dollars already invested by farmers, and threat to America's food supply.



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This service is provided to you at no charge by the [U.S. Environmental Protection Agency](#).

Follow us on Twitter at [@EPACChemSafety](#).

Message

From: Rosenblatt, Daniel [rosenblatt.dan@epa.gov]
Sent: 7/14/2020 6:09:26 PM
To: Tindall, Kelly [tindall.kelly@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Wagman, Michael [Wagman.Michael@epa.gov]; Meadows, Sarah [Meadows.Sarah@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Metzger, Michael [Metzger.Michael@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Nesci, Kimberly [Nesci.Kimberly@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Nguyen, Khue [Nguyen.Khue@epa.gov]; Odenkirchen, Edward [Odenkirchen.Edward@epa.gov]; O'Neill, Sandra [O'Neill.Sandra@epa.gov]; +1 (703) 475-8579 [+1 (703) 475-8579@epa.gov]; Orlowski, John [Orlowski.John@epa.gov]; Kaul, Monisha [Kaul.Monisha@epa.gov]; Appleyard, Moana [Appleyard.Moana@epa.gov]; Overbey, Dian [Overbey.Dian@epa.gov]; Kells, Bradley [kells.bradley@epa.gov]; Becker, Jonathan [Becker.Jonathan@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Chism, William [Chism.Bill@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]; Knorr, Michele [knorr.michele@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]
Subject: Dicamba Weekly Team Meeting

Wyatt, TJ 1:18 PM:

What would be a typical timeline for a registration action like this?

Wyatt, TJ 1:22 PM:

Have/Will the registrants submit a description of the benefits of the use of dicamba as part of this action?

Nesci, Kimberly 1:27 PM:

BEAD's reviewed the list closely and we have thoughts on what's possible

Tindall, Kelly 1:33 PM:

note: there are states saying that incidents are coming AFTER (2-3 weeks after) cutoff dates. People still aren't complying. Maybe the incidents will decrease, but there will likely be some regardless of a cutoff dates.

Wyatt, TJ 1:34 PM:

:D

Kaul, Monisha 1:39 PM:

Engenia cover letter states labels are identical except for a rate change in sugarcane. No new data are planned to be submitted.

XtendiMax cover letter says to use the previously submitted information and that they plan to submit a revised label to address drift/volatility concerns.

Chism, William 1:44 PM:

Can we get the United Soybean Board, Cotton Council, and Ag Retailors Association support us otherwise noncompliance problem will not change.

Nesci, Kimberly 2:05 PM:

Maybe an outline for the briefing?

Matuszko, Jan 2:05 PM:

I think that would be helpful

Meadows, Sarah 2:05 PM:

Definitely

Echeverria, Marietta 2:08 PM:

does timeline work for BEAD?

Echeverria, Marietta 2:08 PM:

@kn?

Nesci, Kimberly 2:08 PM:

We'd prefer to get the outline by Thurs am, if possible

Knorr, Michele 2:09 PM:

Great meeting!

Message

From: Rosenblatt, Daniel [rosenblatt.dan@epa.gov]
Sent: 7/14/2020 6:03:22 PM
To: Tindall, Kelly [tindall.kelly@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Wagman, Michael [Wagman.Michael@epa.gov]; Meadows, Sarah [Meadows.Sarah@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Metzger, Michael [Metzger.Michael@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Nesci, Kimberly [Nesci.Kimberly@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Nguyen, Khue [Nguyen.Khue@epa.gov]; Odenkirchen, Edward [Odenkirchen.Edward@epa.gov]; O'Neill, Sandra [ONeill.Sandra@epa.gov]; +1 (703) 475-8579 [+1 (703) 475-8579@epa.gov]; Orłowski, John [Orłowski.John@epa.gov]; Kaul, Monisha [Kaul.Monisha@epa.gov]; Appleyard, Moana [Appleyard.Moana@epa.gov]; Overbey, Dian [Overbey.Dian@epa.gov]; Kells, Bradley [kells.bradley@epa.gov]; Becker, Jonathan [Becker.Jonathan@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Chism, William [Chism.Bill@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]; Knorr, Michele [knorr.michele@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]
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Message

From: Rosenblatt, Daniel [rosenblatt.dan@epa.gov]
Sent: 7/14/2020 5:39:57 PM
To: Tindall, Kelly [tindall.kelly@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Wagman, Michael [Wagman.Michael@epa.gov]; Meadows, Sarah [Meadows.Sarah@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Metzger, Michael [Metzger.Michael@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Nesci, Kimberly [Nesci.Kimberly@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Nguyen, Khue [Nguyen.Khue@epa.gov]; Odenkirchen, Edward [Odenkirchen.Edward@epa.gov]; O'Neill, Sandra [ONeill.Sandra@epa.gov]; +1 (703) 475-8579 [+1 (703) 475-8579@epa.gov]; Orłowski, John [Orłowski.John@epa.gov]; Kaul, Monisha [Kaul.Monisha@epa.gov]; Appleyard, Moana [Appleyard.Moana@epa.gov]; Overbey, Dian [Overbey.Dian@epa.gov]; Kells, Bradley [kells.bradley@epa.gov]; Becker, Jonathan [Becker.Jonathan@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Chism, William [Chism.Bill@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]; Knorr, Michele [knorr.michele@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]
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Message

From: Bacon, Laura [Bacon.Laura@epa.gov]
Sent: 6/16/2020 8:17:20 PM
To: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
Subject: RE: Section 18 Requests for Dicamba Products and status of current 24c Dicamba registrations

Thank you, Dan. Noted for future inquiries.

Laura Bacon
Acting Chief, Minor Use and Emergency Response Branch
Registration Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: (703) 305-7390

From: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Sent: Tuesday, June 16, 2020 4:13 PM
To: Bacon, Laura <Bacon.Laura@epa.gov>
Subject: FW: Section 18 Requests for Dicamba Products and status of current 24c Dicamba registrations

Laura - FYI - I phoned TX just now. Got into his VM.

If other states call – the basic answer from before still applies. That is – with the litigation still in progress – (i.e. there were emergency motions filed saying EPA was in contempt) – we really can't agree or not agree to anything. So our answer is to just acknowledge their question – and indicate we'll do the best we can to respond later.

From: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Sent: Tuesday, June 16, 2020 9:57 AM
To: Kevin Haack <Kevin.Haack@TexasAgriculture.gov>; Bacon, Laura <Bacon.Laura@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Michael Kelly <Michael.Kelly@TexasAgriculture.gov>
Subject: RE: Section 18 Requests for Dicamba Products and status of current 24c Dicamba registrations

Hello Kevin – I am looping in Dan Rosenblatt because he is better suited to offer you direction on this. Wish I could be of more assistance.

Regards- Tawanda

*Tawanda Maignan
Emergency Response Team Leader
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-8050*

From: Kevin Haack <Kevin.Haack@TexasAgriculture.gov>
Sent: Tuesday, June 16, 2020 9:28 AM
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Bacon, Laura <Bacon.Laura@epa.gov>
Cc: Michael Kelly <Michael.Kelly@TexasAgriculture.gov>
Subject: Section 18 Requests for Dicamba Products and status of current 24c Dicamba registrations

Tawanda,

I just wanted to Inform you that the *South Texas Cotton and Grain Association Inc.* and the *Plains Cotton Growers, Inc.* have requested Section 18's to allow use of ENGINIA , Xtendimax, and FeXapan on cotton, maintaining their previously Authorized provisions.

Are the 24c registrations for ENGINIA , Xtendimax, and FeXapan on cotton still valid thru December 20, 2020?

If the 24c registrations are no longer valid then the requesters would like to incorporate those instructions into the Section 18 provisions.

What are your thoughts ? Concerns of Texas proceeding with these requests?

Thanks ,

Kevin

Kevin D. Haack

Coordinator for Pesticide Product Evaluation and Registration

Texas Department of Agriculture

P.O. Box 12847

Austin, TX 78711

Phone: (512) 463-6982

Email: Kevin.Haack@TexasAgriculture.gov

Website: www.TexasAgriculture.gov

"TEXAS AGRICULTURE
Matters!"

Message

From: Schmid, Emily [Schmid.Emily@epa.gov]
Sent: 10/23/2020 6:11:21 PM
To: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
Subject: RE: labels for secondary review

Hi Dan,

Lydia had to go catch her flight so I'm going to try to finish these up. I finished my comments on Engenia. Can you send me the other two when you are done?

Thanks,
Emily

From: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Sent: Friday, October 23, 2020 12:44 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: RE: labels for secondary review

Lydia – All – here's some comments on the BASF one. I'll look at the other two next. Let me know if there are questions or things for discussion.

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Thursday, October 22, 2020 12:19 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: labels for secondary review

Here are the labels for Xtendimax, Engenia, and Tavium. Since everyone is busy working on the decision document and registration notices, please get your comments to me by **noon tomorrow** so I can condense and send them to the registrants. Let me know if you have any questions or concerns.

Ex. 5 Deliberative Process (DP)

Best,

Lydia Crawford PhD

Biologist | Herbicide Branch | Registration Division

U.S. Environmental Protection Agency | Office of Pesticide Programs

(703) 347-0622 | Crawford.Lydia@epa.gov

Message

From: Britten, Anthony [Britten.Anthony@epa.gov]
Sent: 5/19/2020 7:13:21 PM
To: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
Subject: FW: SLNs w/o Assoc. Sec. 3

From: Britten, Anthony
Sent: Tuesday, May 19, 2020 12:17 PM
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Bacon, Laura <Bacon.Laura@epa.gov>
Subject: RE: SLNs w/o Assoc. Sec. 3

Thanks Tawanda, I did see your note to Dan. Unfortunately the downloads available to me won't confirm whether the 24c's on the report are independent of Section 3 registrations. I think that would need to be done by hand, and by an experienced Team member to make a judgment call in each case. I took a stab at possible steps using OPPIN data entry and OPPIN query for the first 5 entries, 4 of which *might* have associated Section 3s. I think the process could be done relatively fast by experienced Team member. Easier to describe in a 15 minute Skype call than to write-out, but below are first five entries (last three columns are mine), followed by screenshots of the steps. I'll leave it up to you all if you want to schedule a meeting to talk through. Thanks. Tony

RI_NUM	ISSUANCE_DATE	AI_NAME	Product Name	Possible Sec3	Comments
AZ130003	12/27/2013 11:36	Carfentrazone-ethyl	AIM EC HERBICIDE	279-3241	Issuance date appears to correspond to a hanging receipt 945444
AZ170001	5/25/2017 15:00	Sodium cyanide			Pending decision -- OPPIN comment field confirms no associated Sec 3.
CO060002	1/16/2013 12:01	Pendimethalin	PROWL H2O HERBICIDE	70506-230	Inactive Product name matches Reg# 70506-230. (Issuance date doesn't match OPPIN date of 1/10/18)
GA160002	12/20/2016 10:11	Dicamba, diglycolamine salt	XTENDIMAX WITH VAPORGRIP TECHNOLOGY	524-617	Registration name also matches Reg #524-617
ID180008	9/28/2018 11:56	Anthraquinone	AVIPEL HOPPER BOX (DRY) CORN SEED TREATMENT	69969-1	

Special Local Need - Section 24c Search

Search Criteria

Registration Type: Special Local Need - Section 24c Search Reset ☐ Active and Pending Status Only

Reg. Number: AZ130003

Name:

Search Results

Registration #	Current Status	Product Name	
AZ130003	Registered (07-May-2019)	AIM EC HERBICIDE	FMC CORP

Registration Details

Company: 279 FMC CORPORATION

Risk Mgr: Registration Division, Risk Management Team 9

Organization: RD / MUERB

Current Status: Registered (07-May-2019)

Reg. Number: AZ130003 Pesticide Type: Conventional Chemical High Exposure? ☐

Feed Use: ☒ Yes ☐ No WPS Written Notification: ☐ Yes ☒ No No Ingredient? ☐

New Use: ☐ Yes ☒ No

Latest Approved Label:

Nature Of Need: There is no EPA-registered pesticide product which, under the conc

Formulation Property Receipts Restricted Use Reg. Expiration Date

Related Section 3 Products Transfer History Toxicology Mode Of Action FR Notice

Product Name Ingredient Pesticide Category Application Reason Use Patterns

Product Name	Name Status
AIM EC HERBICIDE	Full Text Active

WPS-PPE

Struct's Content Lib

Label Image

Container Info

Tracking

Status

Sites/Pests

CSF

Data Requirements



Office of Pesticide Programs Information Network

Registration Query

Use Registration Query to search for various types of Pesticide Products by registration type, registration classification, pesticide category, physical form, reregistration case, company, organization, team, site, p your query. You may select multiple values from any list to broaden your query. Select multiples using it presented on the screen. Longer lists are reached by clicking on the magnifying glass to the right of the s select from the Query Menu.

NOTE: For multi-select items, if more than 40 values are selected, only the first 40 values will be submitted.

Registration Type: Product Registration - Section 3
Experimental Use Permit (EUP) - Section 5
Emergency Exemption - Section 18
Special Local Need (SLN) - Section 24c

Registration #: ?

Registration Name: (all names)

AM EC HERBICIDE

Restricted Use: ☐

Status Group:

Active
Completed

EPIC Home Reporting

Report Data Errors

Query Options

Registrations

Tolerance

Petitions

OCs

REDs / Projects

Tolerances

Ingredients

Commodities

Companies

Studies

Use results to

10

records per page

Search

U.S. ENVIRONMENTAL PROTECTION

Office of Pesticide Programs Information Network

Results

10 Items Found

Registration #

- 1) AL040003
- 2) AM040003
- 3) AL040003
- 4) AL040003
- 5) AL040003
- 6) AL040003
- 7) AL040003
- 8) AL040003
- 9) AL040003
- 10) AL040003

<> <> <> <>

Summary Information For Special Local Need - Section 24c AL040003

Registration #: AL040003
Registration Name: AM EC HERBICIDE
Company: 273 - FMC CORPORATION
Current Status: Active - Under Review (24 Aug 2006)
Restricted Use: No

Parent Section 3

Registration #	Registration Name
273-3011	AM EC
Total Rows: 1	

Active Ingredients

PC Code	CAS #	Ingredient Name	Percent Active
126712	126639-02-1	Carfentrazone-ethyl	22.3
Total Rows: 1			

From: Maignan, Tawanda <Maignan.Tawanda@epa.gov>

Sent: Tuesday, May 19, 2020 10:38 AM

To: Bacon, Laura <Bacon.Laura@epa.gov>

Cc: Britten, Anthony <Britten.Anthony@epa.gov>

Subject: Re: SLNs w/o Assoc. Sec. 3

I am available this afternoon. However, I want to make note that I shared specific items with Dan that was needed to be filled in on the excel sheet. As such, I am not sure what else I can offer.

Tawanda Maignan
Emergency Response Team Leader

Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-8050

On May 19, 2020, at 9:50 AM, Bacon, Laura <Bacon.Laura@epa.gov> wrote:

Hi Tony,

I have time to talk today- my calendar reflects my availability. Tawanda, do you have any time you'd prefer to meet?

Thank you,

Laura Bacon
Acting Chief, Minor Use and Emergency Response Branch
Registration Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: (703) 305-7390

From: Britten, Anthony <Britten.Anthony@epa.gov>
Sent: Monday, May 18, 2020 1:11 PM
To: Bacon, Laura <Bacon.Laura@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Subject: RE: SLNs w/o Assoc. Sec. 3

Hi Tawanda, Laura –

Dan had asked if I had any sources for cross-checking the attached Excel related to IG audit. Would you have time to Skype today or tomorrow? Feel free to schedule anytime that's convenient for you all. Thanks. Tony

Message

From: Kenny, Daniel [Kenny.Dan@epa.gov]
Sent: 4/8/2020 4:31:51 PM
To: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
Subject: Fwd: Bayer VGX Bibliography - Dicamba

FYI

Sent from my iPhone

Begin forwarded message:

From: "Kenny, Daniel" <Kenny.Dan@epa.gov>
Date: April 8, 2020 at 12:30:38 PM EDT
To: "Corbin, Mark" <Corbin.Mark@epa.gov>
Cc: "Hathaway, Margaret" <Hathaway.Margaret@epa.gov>, "Farruggia, Frank" <Farruggia.Frank@epa.gov>, "Odenkirchen, Edward" <Odenkirchen.Edward@epa.gov>, "Peck, Charles" <Peck.Charles@epa.gov>, "Sankula, Sujatha" <Sankula.Sujatha@epa.gov>, "Wagman, Michael" <Wagman.Michael@epa.gov>, "Wait, Monica" <Wait.Monica@epa.gov>, "Schmid, Emily" <Schmid.Emily@epa.gov>, "Meadows, Sarah" <Meadows.Sarah@epa.gov>
Subject: Re: Bayer VGX Bibliography - Dicamba

Hi Mark. It may be easier to talk instead, but we agree with you that this data is outside the scope of the decision that we are charged to revisit for dicamba. I've spoken with the RD DD's as well, and we feel that the use of the adjuvant is already approved, so no additional work is needed there. If they would like to reformulate the product with the adjuvant already in, that amounts to a new action that would be subject to its own timeline, like the premixed. I think it's OK to separate the adjuvant data out of what we need to do right now.

I'm happy to talk more about it if you'd like to discuss.

Thanks,
Dan

Sent from my iPhone

On Apr 8, 2020, at 12:13 PM, Corbin, Mark <Corbin.Mark@epa.gov> wrote:

Meg and Dan

Can you help me understand the request. I don't know what this means in the context of the registrations we are currently working on. So my first question is what's the relevance to this data to the current actions?

Also, we don't have an action in house for the VGX correct? I know they said they would submit this as a new product registration that has not even been submitted yet. And since this is already allowed as a tank mix partner not sure what we would do with the data.

My concern is the same as what we discussed before. This is a massive amount of data whose relevance to our current actions is unclear to me. To add this to the review mix at this late of a date would be very challenging in my opinion

mark

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Wednesday, April 08, 2020 10:52 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Cc: Farruggia, Frank <Farruggia.Frank@epa.gov>; Odenkirchen, Edward <Odenkirchen.Edward@epa.gov>; Peck, Charles <Peck.Charles@epa.gov>; Sankula, Sujatha <Sankula.Sujatha@epa.gov>; Wagman, Michael <Wagman.Michael@epa.gov>; Wait, Monica <Wait.Monica@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>
Subject: FW: Bayer VGX Bibliography - Dicamba

Hello Mark:

Following up from the dicamba adjuvant call Bayer had with our office last week, Bayer has provided the attached bibliography of VaporGrip X (MON 51817) spray drift and volatility data.

As noted on the cover page of this document, Bayer/Monsanto say that this is a list of "study data that has been or can be made available to EFED for evaluating the impact on spray drift and volatility characteristics of dicamba when additional VaporGrip is added as a tank mix buffering agent (VaporGrip X)." They have provided MRID numbers for data already submitted to the Agency.

Please take a look at this list and let me know if there is anything if we want to ask Bayer for at this time. If so, Bayer requests that we convey to them if there is a priority shortlist of data that Bayer should prioritize getting to EPA first. Bayer may also try to bring up this list during tomorrow's 6a2 call at 11am, so keep that in mind too.

Thanks,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, April 06, 2020 7:21 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello Meg,

Attached is a copy of the bibliography listing the studies that were mentioned in the presentation last week.

Please, let me know if you have questions.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

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Subject: RE: Seeking your Input.

Thank you, George:
My office looks forward to seeing the bibliography soon.

Best regards,
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Subject: RE: Seeking your Input.

Hi Meg,

Below is the list of Bayer personnel who participated on the Monday call.

We are compiling the list of studies/reports (Bibliography) that were discussed during the call. The target is to have it completed by end of the week.

Please, let me know if you have questions.

Name	Email	Phone Number
Dan Dyer	dan.dyer@bayer.com	Ex. 6 Personal Privacy (PP)
George Sabbagh	george.sabbagh@bayer.com	
Lance Schuler	lance.schuler@bayer.com	
Naresh Pai	naresh.pai@bayer.com	
Ryan Rector	ryan.rector@bayer.com	
Steven Callen	steven.callen@bayer.com	
Thomas Orr	thomas.orr@bayer.com	
Tilghman Hall	tilghman.hall@bayer.com	
Timothy Fredricks	timothy.fredricks@bayer.com	
Tina Bhakta	tina.bhakta@bayer.com	

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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801 Pennsylvania Avenue, NW
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Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, March 30, 2020 9:21 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Thank you, George:

I was able to successfully open the attached slide deck and have forwarded both the slides and Skype invitation to the relevant EPA participants for our 10am call today.

Talk to you soon,

Meg

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OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

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Sent: Sunday, March 29, 2020 1:46 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg,

Attached is a copy of the slides that will be covered on our call. Additional notes on the content of the slides are provided.

I sent an invite on Friday for our call. The invite includes the link to the Skype call (video and audio). You can forward the invite to your colleagues who will be attending. The link is also provided below. I will get on the call 10 minutes early (9:50 a.m.). If you can join few minutes early, we can test the connection.

Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Friday, March 27, 2020 4:12 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello George:

I've gotten direction that for our Monday meeting, my office would actually prefer if Bayer could set up the Skype meeting and provide connection information to EPA staff. Would that be possible? If so, you can email me the meeting details and I will forward them to the appropriate people in my office.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, March 24, 2020 7:37 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Thank you Meg. I will supply the slide deck when completed.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
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801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, March 23, 2020 5:05 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Great! Thank you, George, for the confirmation.

On Monday at 10am, please use the following link to join the skype conference call.

[Join Skype Meeting](#)

[Trouble Joining? Try Skype Web App](#)

Please keep me posted as your team develops any presentation materials that should be shared with the group.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, March 23, 2020 3:42 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg, Monday March 30th 10:00 – 11:00 a.m. works well. Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, March 23, 2020 1:01 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input

Dan, Resending the request.

Please, let me know if you need more information.

Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Tuesday, March 17, 2020 8:32 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: Seeking your Input

Hi Dan,

Following up on our call last week.

Bayer is looking to set up a meeting with the Agency (latter part of next week or the week after) to share data from testing the adjuvant VaporGrip X with the Product XtendiMax.

Results from field trials conducted by Bayer and Academics with the VaporGrip X have shown positive response to reducing off-target movement of XtendiMax. During the meeting, Bayer will go over these trials, share the results and discuss further plans.

Meeting information:

Proposed dates: March 26-27, or Week of March 30.

Proposed Agenda: Review of results from Testing VaporGrip X with Xtendimax

Attendees:

- Bayer Regulatory affairs and Environmental Safety
- EPA RD and EFED

Looking forward to hearing from you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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The information contained in this e-mail is for the exclusive use of the intended recipient(s) and may be confidential, proprietary, and/or legally privileged. Inadvertent disclosure of this message does not constitute a waiver of any privilege. If you receive this message in error, please do not directly or indirectly use, print, copy, forward, or disclose any part of this message. Please also delete this e-mail and all copies and notify the sender. Thank you.

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Message

From: Rosenblatt, Daniel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AEEDBDCE1DD0473AAB1628C69953F724-DANIEL J. ROSENBLATT]
Sent: 6/9/2020 1:25:39 PM
To: Motilall, Christina [Motilall.Christina@epa.gov]
Subject: RE: Notification: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

Yes – thank you Christina

From: Motilall, Christina <Motilall.Christina@epa.gov>
Sent: Tuesday, June 9, 2020 8:38 AM
To: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>
Subject: FW: Notification: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

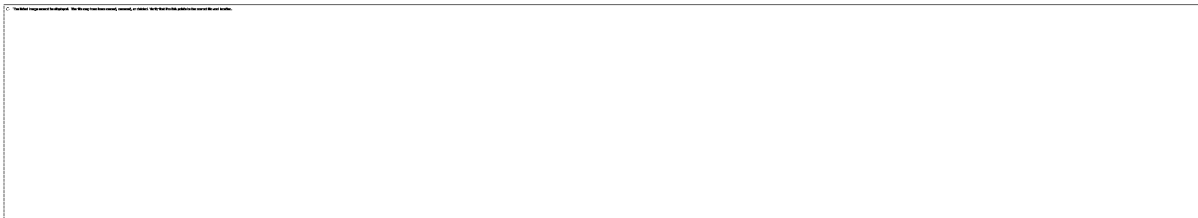
Hoping you saw this but if not, wanted to make sure you did!

From: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>
Sent: Monday, June 8, 2020 9:11 PM
To: OPP FEAD CSB <OPP_FEAD_CSB@epa.gov>
Subject: FW: Notification: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

FYI

Greg Siedschlag
Chief, Communication Services Branch
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: (703) 603-9044
Cell: (571) 319-7949
<https://www.epa.gov/pesticides>

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Monday, June 08, 2020 7:46 PM
Subject: Notification: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations



EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

WASHINGTON (June 8, 2020) – Today, the U.S. Environmental Protection Agency (EPA) issued a key order providing farmers with needed clarity following the Ninth Circuit Court of Appeals' June 3, 2020 vacatur of three dicamba registrations. Today's [cancellation order](#) outlines limited and specific circumstances under which existing stocks of the three affected dicamba products can be used for a limited period of time. EPA's order will

advance protection of public health and the environment by ensuring use of existing stocks follows important application procedures.

“At the height of the growing season, the Court’s decision has threatened the livelihood of our nation’s farmers and the global food supply,” **said EPA Administrator Andrew Wheeler**. “Today’s cancellation and existing stocks order is consistent with EPA’s standard practice following registration invalidation, and is designed to advance compliance, ensure regulatory certainty, and to prevent the misuse of existing stocks.”

EPA’s order will mitigate some of the devastating economic consequences of the Court’s decision for growers, and particularly rural communities, at a time they are experiencing great stress due to the COVID-19 public health emergency.

Details of the Order

EPA’s order addresses sale, distribution, and use of existing stocks of the three affected dicamba products - XtendiMax with vapor grip technology, Engenia, and FeXapan.

1. Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.
2. Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product’s previously-approved label, and may not continue after July 31, 2020.

Background

On June 3, 2020, the Ninth Circuit Court of Appeals issued an order vacating EPA’s pesticide registrations containing the active ingredient dicamba: Xtendimax with Vaporgrip Technology (EPA Reg. No. 524-617); Engenia - (EPA Reg. No. 7969-345); and FeXapan - (EPA Reg. No. 352-913).

Dicamba is a valuable pest control tool that farmers nationwide planned to use during the 2020 growing season. Since the Court issued its opinion, the agency has been overwhelmed with letters and calls from farmers citing the devastation of this decision on the millions of acres of crops, millions of dollars already invested by farmers, and threat to America’s food supply.

Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753 (o)
202-591-0619 (c)

Message

From: Rosenblatt, Daniel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AEEDBDCE1DD0473AAB1628C69953F724-DANIEL J. ROSENBLATT]
Sent: 4/8/2020 4:39:07 PM
To: Matuszko, Jan [Matuszko.Jan@epa.gov]
Subject: FW: Bayer VGX Bibliography - Dicamba

Jan – looks like the branches are connecting on that earlier item too – see below.

From: Kenny, Daniel <Kenny.Dan@epa.gov>
Sent: Wednesday, April 8, 2020 12:32 PM
To: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Subject: Fwd: Bayer VGX Bibliography - Dicamba

FYI

Sent from my iPhone

Begin forwarded message:

From: "Kenny, Daniel" <Kenny.Dan@epa.gov>
Date: April 8, 2020 at 12:30:38 PM EDT
To: "Corbin, Mark" <Corbin.Mark@epa.gov>
Cc: "Hathaway, Margaret" <Hathaway.Margaret@epa.gov>, "Farruggia, Frank" <Farruggia.Frank@epa.gov>, "Odenkirchen, Edward" <Odenkirchen.Edward@epa.gov>, "Peck, Charles" <Peck.Charles@epa.gov>, "Sankula, Sujatha" <Sankula.Sujatha@epa.gov>, "Wagman, Michael" <Wagman.Michael@epa.gov>, "Wait, Monica" <Wait.Monica@epa.gov>, "Schmid, Emily" <Schmid.Emily@epa.gov>, "Meadows, Sarah" <Meadows.Sarah@epa.gov>
Subject: Re: Bayer VGX Bibliography - Dicamba

Hi Mark. It may be easier to talk instead, but we agree with you that this data is outside the scope of the decision that we are charged to revisit for dicamba. I've spoken with the RD DD's as well, and we feel that the use of the adjuvant is already approved, so no additional work is needed there. If they would like to reformulate the product with the adjuvant already in, that amounts to a new action that would be subject to its own timeline, like the premixed. I think it's OK to separate the adjuvant data out of what we need to do right now.

I'm happy to talk more about it if you'd like to discuss.

Thanks,
Dan

Sent from my iPhone

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Meg and Dan

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Subject: FW: Bayer VGX Bibliography - Dicamba

Hello Mark:

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Thanks,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
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Director Registrations

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Thank you, George:
My office looks forward to seeing the bibliography soon.

Best regards,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
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OCSPP: Office of Pesticide Programs
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Hi Meg,

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We are compiling the list of studies/reports (Bibliography) that were discussed during the call. The target is to have it completed by end of the week.

Please, let me know if you have questions.

Name	Email	Phone Number
Dan Dyer	dan.dyer@bayer.com	Ex. 6 Personal Privacy (PP)
George Sabbagh	george.sabbagh@bayer.com	
Lance Schuler	lance.schuler@bayer.com	
Naresh Pai	naresh.pai@bayer.com	
Ryan Rector	ryan.rector@bayer.com	
Steven Callen	steven.callen@bayer.com	
Thomas Orr	thomas.orr@bayer.com	
Tilghman Hall	tilghman.hall@bayer.com	
Timothy Fredricks	timothy.fredricks@bayer.com	
Tina Bhakta	tina.bhakta@bayer.com	

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Talk to you soon,
Meg

Margaret Hathaway (Meg)
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From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Sunday, March 29, 2020 1:46 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg,

Attached is a copy of the slides that will be covered on our call. Additional notes on the content of the slides are provided.

I sent an invite on Friday for our call. The invite includes the link to the Skype call (video and audio). You can forward the invite to your colleagues who will be attending. The link is also provided below. I will get on the call 10 minutes early (9:50 a.m.). If you can join few minutes early, we can test the connection.

Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291

E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Friday, March 27, 2020 4:12 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello George:

I've gotten direction that for our Monday meeting, my office would actually prefer if Bayer could set up the Skype meeting and provide connection information to EPA staff. Would that be possible? If so, you can email me the meeting details and I will forward them to the appropriate people in my office.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, March 24, 2020 7:37 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Thank you Meg. I will supply the slide deck when completed.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, March 23, 2020 5:05 PM

To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive
<esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Great! Thank you, George, for the confirmation.

On Monday at 10am, please use the following link to join the skype conference call.

[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

Please keep me posted as your team develops any presentation materials that should be shared with the group.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, March 23, 2020 3:42 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive
<esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg, Monday March 30th 10:00 – 11:00 a.m. works well. Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, March 23, 2020 1:01 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret

<Hathaway.Margaret@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive
<esepamailbox@bayer.com>

Subject: RE: Seeking your Input

Dan, Resending the request.

Please, let me know if you need more information.

Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745

Washington, DC 20004

Cel: +1 913 231 6291

E-mail: george.sabbagh@bayer.com

Web: <http://www.bayercropscience.com>

From: George Sabbagh

Sent: Tuesday, March 17, 2020 8:32 AM

To: Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>

Subject: Seeking your Input

Hi Dan,

Following up on our call last week.

Bayer is looking to set up a meeting with the Agency (latter part of next week or the week after) to share data from testing the adjuvant VaporGrip X with the Product XtendiMax.

Results from field trials conducted by Bayer and Academics with the VaporGrip X have shown positive response to reducing off-target movement of XtendiMax. During the meeting, Bayer will go over these trials, share the results and discuss further plans.

Meeting information:

Proposed dates: March 26-27, or Week of March 30.

Proposed Agenda: Review of results from Testing VaporGrip X with Xtendimax

Attendees:

- Bayer Regulatory affairs and Environmental Safety
- EPA RD and EFED

Looking forward to hearing from you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

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Message

From: Davis, Kable [Davis.Kable@epa.gov]
Sent: 9/21/2020 8:13:15 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: RE: Time-Sensitive; CLA Synergy Question

Thank you!

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, September 21, 2020 2:45 PM
To: Davis, Kable <Davis.Kable@epa.gov>
Subject: RE: Time-Sensitive; CLA Synergy Question

Hi Bo,

We talked about this a little in our dicamba meeting and Dan was saying that if it comes up, it might be enough to just say we are revisiting the process and leave it at that. We're talking about changing it to a more efficient process with the proposed dicamba registrations but it isn't settled yet.

Thanks!
Emily

From: Davis, Kable <Davis.Kable@epa.gov>
Sent: Monday, September 21, 2020 1:01 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Ondish, Mindy <ondish.mindy@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Gerber, Theresa <Gerber.Theresa@epa.gov>
Subject: RE: Time-Sensitive; CLA Synergy Question

This is helpful. Marietta doesn't have time to answer all of the questions, therefore I'll highlight this one as one to leave off. I appreciate your help!

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, September 21, 2020 12:57 PM
To: Davis, Kable <Davis.Kable@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Ondish, Mindy <ondish.mindy@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Gerber, Theresa <Gerber.Theresa@epa.gov>
Subject: RE: Time-Sensitive; CLA Synergy Question

Hi Bo:

HB likely needs to chat about this. In brief, approving tank mixtures is a low priority for HB and the inbox is something of a wilderness. My initial thoughts are below.

HISTORY OF THE INBOX:

Theresa Gerber did a lot of excellent work earlier this year clearing out much of the inbox's backlog. Then when the dicamba vacatur went through in June, we ceased reviewing dicamba tank mix requests. Tavium was (and is) still registered, but the bulk of tank mix requests were for the XtendiMax line. There are also still 2,4-D request, but that's a smaller crop than the dicamba ones. Now that new dicamba registrations are on the verge of being approved, tank mixing for that active ingredient is poised to become an issue again.

RE. CLA's REQUEST:

- HB isn't in a position to promise review timeframes for individual requests.
- I'm unopposed to the idea of setting the inbox to have an automatic reply feature saying that requests have been received. It sounds like a good idea but I'm unsure how to set this up. The away-message features of Outlook appear to be tied to staff accounts rather than a particular inbox, and the Rules function is more for sorting than sending emails. But it seems like something that should be possible to do.

From: Davis, Kable <Davis.Kable@epa.gov>

Sent: Monday, September 21, 2020 6:27 AM

To: Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Ondish, Mindy <ondish.mindy@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Subject: Time-Sensitive; CLA Synergy Question

Hi Everyone –

I'm working on responding to some CLA question for Marietta, which are due by COB today. Below are some questions concerning synergy, which, of course, made me think of HB. Is anyone able to provide some feedback for me? If not, do you know who would?

Process for Evaluating Potential Synergistic Effects of Pesticides During the Registration Process

- Synergy requests are submitted to opptankmixrequests@epa.gov, but no confirmation is ever given of their receipt nor have status updates been provided.
- Is EPA still checking the opptankmixrequests@epa.gov email address to determine which tank mix requests are received? Would it be possible for EPA to send a confirmation back upon receiving the initial request so that a registrant knows that EPA is aware of the request?
- Is EPA processing all actives together or waiting to add, as a group to the list of cleared actives? Essentially, is there an estimated time to clear the backlog, and, once cleared, what is the timeframe within which EPA can assess synergy and communicate back to the registrants for new requests?
- Regarding the policy on [regulations.gov](https://www.regulations.gov) (EPA-HQ-OPP-2017-0433), the process is outlined as follows:
 - Step 1: Search for and identify granted U.S. patents with applications that made any claims of GTA effects;
 - Step 2: Conduct a review of patent data for relevance to ecological risk assessment;
 - Step 3: Report effects testing data from relevant patents; and
 - Step 4: Perform a statistical analysis using an EPA-established method to evaluate if observations of GTA effects are statistically significant.
 - Step 5 is an Agency review of the submitted information from Steps 1–4.

Based on the wording, it is unclear if EFED review is necessary if there is no data or replicated data (required for statistical analysis) available. We believe adding a step for RD to reach out to EFED when no data is available or statistical analysis is not possible would be an inefficient use of Agency time and further impact registration backlogs.

Thanks tons and HAPPY MONDAY.

Bo

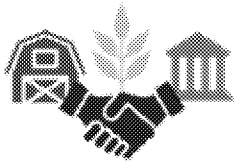
Message

From: George Sabbagh [george.sabbagh@bayer.com]
Sent: 10/19/2020 1:30:37 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
CC: Crawford, Lydia [Crawford.Lydia@epa.gov]; BCSReg_Archive [esepamailbox@bayer.com]
Subject: RE: Xtendimax label comments

Will do. Thank you for pointing this out.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, October 19, 2020 8:28 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Xtendimax label comments

Hi George,

I forgot to note it in the label comments, but could you update the tank mixing website? The website on the label, Xtendimaxapplicationrequirements.com, appears to not be active anymore but forwards to roundupreadyxtend.com. Will roundupreadyxtend.com replace the old one?

Thanks,
Emily

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Friday, October 16, 2020 6:43 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>;

Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Xtendimax label comments

Understood.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.

Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////////////////////
Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Crawford, Lydia <Crawford.Lydia@epa.gov>

Sent: Friday, October 16, 2020 4:54 PM

To: George Sabbagh <george.sabbagh@bayer.com>

Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>

Subject: RE: Xtendimax label comments

Sorry for the repeat email, but I did want to note that our general counsel are still reviewing the labels and we anticipate additional comments on subsequent rounds.

Best,
Lydia

From: Crawford, Lydia

Sent: Friday, October 16, 2020 4:47 PM

To: George Sabbagh <george.sabbagh@bayer.com>

Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>

Subject: Xtendimax label comments

Good evening George,

Please see the attached label comments for 264-RERN. Make requested changes and send back clean and highlighted copies of the label as quickly as you can. If you have any rebuttals, please include them in the body of the email response. Hope you have a pleasant weekend.
Thanks,

Lydia Crawford PhD

Biologist | Herbicide Branch | Registration Division

U.S. Environmental Protection Agency | Office of Pesticide Programs

(703) 347-0622 | Crawford.Lydia@epa.gov

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Message

From: Hathaway, Margaret [Hathaway.Margaret@epa.gov]
Sent: 6/1/2020 10:44:59 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: RE: VaporGrip Extra
Attachments: Dicamba BEAN Dec_562504 DP_457978 Submiss_1051277_6-1-2020.pdf

Hello Emily:

Could you please take a look at the attached bean for the VaporGrip studies and let me know if it looks okay before I email it to EFED?

Here is the email text I plan to send the bean sheet with:

“SUBJECT: New Bean for Dicamba, Decision 562504, DP #: 457978, Submission #1051277

Hello Mark and Monica:

Please find the attached bean sheet for the VaporGrip data from Bayer, transmitted to EFED under Decision 562504, DP #: 457978, Submission #1051277.

The bean instructions are as follows:

‘Dear EFED: The registrant Bayer has requested that EPA review the attached supplemental data concerning EPA Reg. No. 524-617 (M1768 Herbicide / XtendiMax® With VaporGrip® Technology). The data concern potential benefits claimed from adding MON 51817 in a tank mix with M1768 Herbicide. The MRIDs are not yet assigned in OPPIN, but the MRID #s are 51134100 - 51134105.

- Transmittal Document (MRID 51134100)
- Summary of Studies Conducted with MON 51817 in XtendiMax® With VaporGrip® Technology Tank Mixtures (MRID 51134101)
- Bibliography of MON 51817 Spray Drift and Volatility Data (MRID 51134102)
- Report: Field Volatility of Spray Solutions Containing Dicamba for Post-emergent Uses: Mon 76980 (22 oz/A) with different tank mix partners (MRID 51134103)
- Report: Deposition and Air Concentration Modeling for Dicamba Formulation MON 76980 with Different Tank Mix Partners – 2018 Arizona Field Trial (MRID 51134104)
- Report: Off-Target Disposition of Spray Solutions Containing Dicamba Formulations MON 76980 and MON 119151 (MRID 51134105)’

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

”

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, June 01, 2020 1:54 PM

To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: VaporGrip Extra

Yes, Sarah's right. The EFED branch is ERB6.

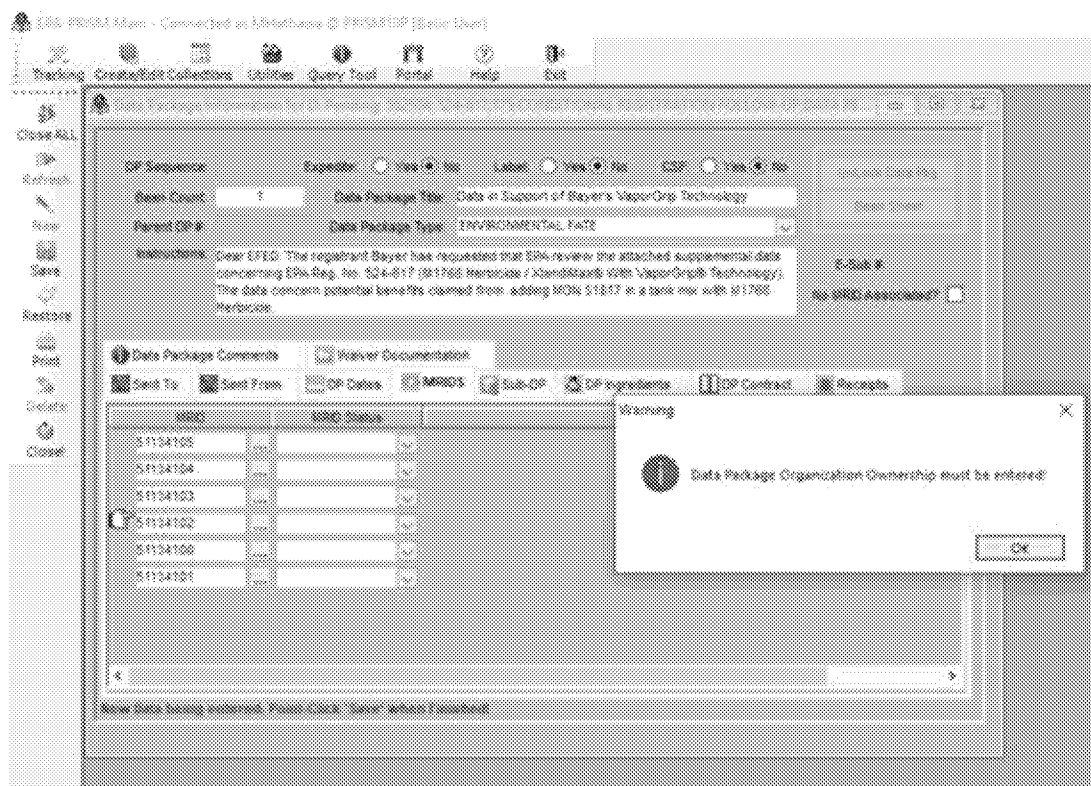
From: Meadows, Sarah <Meadows.Sarah@epa.gov>
Sent: Monday, June 01, 2020 1:04 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: VaporGrip Extra

Hi, Meg. I think you just need to add the correct EFED branch to the 'Sent To' tab. Have you done that? It also looks like the MRIDs aren't linked to OPPIN yet, so you may have to click the 'No MRID Associated' box and then just mention the MRID #s in the text.

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, June 01, 2020 12:46 PM
To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: VaporGrip Extra

Hi All:

I started beanning the VaporGrip data but am getting some error messages. Sarah, I have a 1pm meeting today but can check in with you after that. I'll look for time on your calendar.



From: Meadows, Sarah <Meadows.Sarah@epa.gov>
Sent: Monday, June 01, 2020 11:27 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: VaporGrip Extra

Hi, Meg. Let me know if you need a refresher or any help. I'm working until 6 today.

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Monday, June 01, 2020 11:25 AM

To: Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>

Subject: RE: VaporGrip Extra

Okay Emily, I will see what I can do.

From: Schmid, Emily <Schmid.Emily@epa.gov>

Sent: Monday, June 01, 2020 11:10 AM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>

Subject: RE: VaporGrip Extra

Hi Meg,

I know I've showed you how to bean before so why don't you take a stab at it and I'll look it over before you send it forward to EFED.

Thanks!

Emily

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Monday, June 01, 2020 11:05 AM

To: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>

Subject: RE: VaporGrip Extra

Thanks Emily. No, I did not. Do you have time this afternoon to go over the beaning process. Or maybe Sarah, you might be available?

- Meg

From: Schmid, Emily <Schmid.Emily@epa.gov>

Sent: Monday, June 01, 2020 11:00 AM

To: Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>

Subject: RE: VaporGrip Extra

Hi Dan,

I think they might be referring to the attached. It doesn't look like they were beaned from the decision I created. Meg, did you send them?

Thanks,

Emily

From: Kenny, Daniel <Kenny.Dan@epa.gov>
Sent: Monday, June 01, 2020 10:30 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>
Subject: FW: VaporGrip Extra

FYI – We may be asked to push these new registrations, even though EFED struggling with data load and resources right now. Can you tell me if this data has been routed to EFED yet? Apparently, there was a whole pile of it that was coming in with the application for registration.

From: Goodis, Michael <Goodis.Michael@epa.gov>
Sent: Saturday, May 30, 2020 2:36 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: Fwd: VaporGrip Extra

See below. Can we confirm these data were submitted? Let's discuss Monday.

Sent from my iPhone

Begin forwarded message:

From: "Keigwin, Richard" <Keigwin.Richard@epa.gov>
Date: May 30, 2020 at 8:01:18 AM EDT
To: "Goodis, Michael" <Goodis.Michael@epa.gov>, "Echeverria, Marietta" <Echeverria.Marietta@epa.gov>
Cc: "Messina, Edward" <Messina.Edward@epa.gov>
Subject: VaporGrip Extra

Alex met with Bayer yesterday to discuss several topics. One of those topics was their new VaporGrip Extra technology.

I know we only just received the data (Bayer mentioned that they submitted it in early May) so it is likely that the team is only starting to look at those data. With that in mind, it would be helpful to get an early read (even qualitatively) on what the data show in terms of promise for this technology in reducing vapor drift. Bayer will want to engage on this adjuvant soon, so any initial reactions could be helpful in some of the upcoming discussions that are likely to occur.

Rick Keigwin
Director, Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-305-7090
Website: <http://www.epa.gov/pesticides>
Sent from my iPhone (Please excuse typos!)

Message

From: Gaines, Jennifer [gaines.jennifer@epa.gov]
Sent: 6/4/2020 3:37:46 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: RE: Dicamba registrations vacated

You're welcome and thanks! I just started last week, so it's very new. : -)

Jennifer Gaines
Acting Enforcement Coordinator and State Liaison
Government and International Services Branch
Field and External Affairs Division
U.S. Environmental Protection Agency
(703) 305-5967

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Thursday, June 4, 2020 9:28 AM
To: Gaines, Jennifer <gaines.jennifer@epa.gov>
Subject: RE: Dicamba registrations vacated

Thanks Jen!

I didn't realize you are in FEAD now. Congratulations!

From: Gaines, Jennifer <gaines.jennifer@epa.gov>
Sent: Thursday, June 04, 2020 7:33 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Ondish, Mindy <ondish.mindy@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Subject: FW: Dicamba registrations vacated

Hi all,

I received the below information pertaining to dicamba and wanted to pass it along in case you all haven't seen it yet.

Jen

Jennifer Gaines
Acting Enforcement Coordinator and State Liaison
Government and International Services Branch
Field and External Affairs Division
U.S. Environmental Protection Agency
(703) 305-5967

From: Amy Sullivan <aapco.sfireg@gmail.com>
Sent: Thursday, June 4, 2020 7:14 AM

To: aapco.sfireg <aapco.sfireg@gmail.com>

Subject: Dicamba registrations vacated

Good morning,

Yesterday, June 3, 2020, the US Court of Appeals for the Ninth Circuit: 'We hold that the EPA's October 31, 2018, decision, and the conditional new-use registrations of XtendiMax, Engenia, and FeXapan for use on DT soybean and cotton that are premised on that decision, violate FIFRA.'

See the opinion here: <https://usrtk.org/wp-content/uploads/2020/06/Court-decision-on-dicamba.pdf>

The Below are some links to news stories.

<https://www.dtnpf.com/agriculture/web/ag/crops/article/2020/06/04/ninth-circuit-vacates-three-dicamba>

<https://www.agri-pulse.com/articles/13827-ninth-circuit-vacates-dicamba-registrations>

<https://www.bloombergquint.com/business/bayer-s-dicamba-registration-pulled-by-court-on-herbicide-s-risk>

Sincerely, Amy

Amy Sullivan

Executive Secretary

AAPCO-SFIREG

406-431-3176

<https://aapco.org>

<https://twitter.com/aapcoexecsec>

Message

From: Steven Callen (STCALL) via Bayer MyTransfer Pgh Notification Service [mytransfer-pgh_no_reply@bayer.com]
Sent: 5/1/2020 8:13:04 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: New Package Is Waiting



New Package Notification

A new file package has been posted for you.

From: Steven Callen (STCALL)
Subject: Bayer Crop Science - MON 51817 Data in Support of the 2020 XtendiMax Re-registration

Please use the following URL and your Bayer MyTransfer username/password combination to view this package via a secure connection. After viewing this package, you may also download any associated attachments or send a reply using your favorite web browser.

<https://mytransfer-pgh.bayer.biz/human.aspx?OrgID=5913&Arg12=message&Arg06=668287119&Arg08=k66l155non42alom&username=schmid.emily%40epa.gov>

If you need assistance, please contact the Bayer employee who sent you the file package.

Regards,
Bayer MyTransfer Pgh Notification Service

This service is for business purpose only! Unauthorized access and the upload of unlawful content is strictly prohibited. Misuse of this service will lead to account disabling.

Message

From: Steven Callen [steven.callen@bayer.com]
Sent: 7/21/2020 5:37:56 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
CC: BCSReg_Archive [esepamailbox@bayer.com]
Subject: Bayer Crop Science - XtendiMax Submission - 264-RERN
Attachments: CDX Submission - CSF.PDF

Good afternoon, Emily,

I hope all is going well with you this week! I've tried contacting you a couple times by phone over the last week, but I have unfortunately struck out three times getting a hold of you, so I thought I'd just send a follow-up email.

First, I wanted to ensure that you received the CSF. I did receive a notification from Shelby today that it had not been received and therefore there was a deficiency. I provided Shelby with the CDX confirmation that it was submitted on July 10 (attached here as well), in case that helps you track it down.

I was also curious to know any more information about the PRIA category. Is there any more insight on why that change was made? Was it simply an administrative approach to find the best, most defensible fit for this unique situation? Also, upon reading the description of the PRIA category, I wanted to be sure that we will not need to submit a tolerance petition or exemption since the tolerances are already in place.

Finally, is there any indication that EPA will send this out for public notice and comment?

Thanks very much!

Sincerely,
Steven

Steven T. Callen, Ph.D.
Crop Protection Regulatory Manager
Broad Acre and Trait Uses

//////////

Bayer U.S. – Crop Science
North America Crop Protection Regulatory Affairs
700 Chesterfield Parkway West
Mail Zone: FF4B
Chesterfield, MO 63017, USA
Tel: +1 (636) 737-1133
Cell: +1 (314) 302-9391
E-mail: steven.callen@bayer.com
Web: <http://www.bayer.com>

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/// Follow me on:
/// [Twitter](#) /// [LinkedIn](#)

Message

From: Thomas Orr [thomas.orr@bayer.com]
Sent: 4/8/2020 8:04:20 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: FW: XtendiMax Field Study Report Submission (2 of 2)
Attachments: TRR0000087, REG-2019-0035 Final Report_2of2.pdf

Resending due to file size constraints. Message 2 of 2.

From: Thomas Orr
Sent: Wednesday, April 08, 2020 2:47 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Steven Callen <steven.callen@bayer.com>
Subject: XtendiMax Field Study Report Submission

Hi Emily. The attached study report was submitted to EPA yesterday through the electronic portal. This is a large-scale field study that was conducted with a tank mix of XtendiMax that also included VaporGrip X (MON 51817). This is one of the studies that was previewed with EPA during our conference call on Monday March 30, 2020. Available raw data for studies conducted with VaporGrip X are being compiled for a forthcoming submission to EPA to facilitate data review. Please note that VaporGrip X is the project name and commercial names will likely differ from this project name.

As a condition of the XtendiMax registration, Bayer is required to provide EPA with information related to studies conducted with XtendiMax. This study is being submitted per this requirement.

Additionally, the body of data demonstrates that VaporGrip X further improves the off-target movement profile of tank mixtures containing XtendiMax. Beginning in 2021, Bayer will recommend that VaporGrip X be included in all XtendiMax spray applications. Additionally, Bayer believes the available data for VaporGrip X should be considered by EPA during as part of the re-registration decision making for dicamba.

Please let Steven Callen or myself know if you have any questions regarding this submission.

Best regards,

Tom Orr
Broad Acre & Trait Use Lead
Crop Protection Regulatory Affairs

//////////

Bayer Crop Science
Monsanto Company
Regulatory Science
Building FF
Chesterfield, 63017, USA
Tel: +1 636-737-9347
Cell: +1 314-648-9653
E-mail: thomas.orr@bayer.com
Web: <http://www.bayer.com>

/// Follow Bayer on:
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Message

From: Thomas Orr [thomas.orr@bayer.com]
Sent: 4/8/2020 7:59:40 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: FW: XtendiMax Field Study Report Submission (1 of 2)
Attachments: TRR0000087, REG-2019-0035 Final Report_1of2.pdf

Resending due to file size constraints. Message 1 of 2.

Tom

From: Thomas Orr
Sent: Wednesday, April 08, 2020 2:47 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Steven Callen <steven.callen@bayer.com>
Subject: XtendiMax Field Study Report Submission

Hi Emily. The attached study report was submitted to EPA yesterday through the electronic portal. This is a large-scale field study that was conducted with a tank mix of XtendiMax that also included VaporGrip X (MON 51817). This is one of the studies that was previewed with EPA during our conference call on Monday March 30, 2020. Available raw data for studies conducted with VaporGrip X are being compiled for a forthcoming submission to EPA to facilitate data review. Please note that VaporGrip X is the project name and commercial names will likely differ from this project name.

As a condition of the XtendiMax registration, Bayer is required to provide EPA with information related to studies conducted with XtendiMax. This study is being submitted per this requirement.

Additionally, the body of data demonstrates that VaporGrip X further improves the off-target movement profile of tank mixtures containing XtendiMax. Beginning in 2021, Bayer will recommend that VaporGrip X be included in all XtendiMax spray applications. Additionally, Bayer believes the available data for VaporGrip X should be considered by EPA during as part of the re-registration decision making for dicamba.

Please let Steven Callen or myself know if you have any questions regarding this submission.

Best regards,

Tom Orr
Broad Acre & Trait Use Lead
Crop Protection Regulatory Affairs

//////////

Bayer Crop Science
Monsanto Company
Regulatory Science
Building FF
Chesterfield, 63017, USA
Tel: +1 636-737-9347
Cell: +1 314-648-9653
E-mail: thomas.orr@bayer.com
Web: <http://www.bayer.com>

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Message

From: Meadows, Sarah [Meadows.Sarah@epa.gov]
Sent: 10/23/2020 9:13:36 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: Automatic reply: Updated XtendiMax Registration Notice

Hello. I am currently out of the office. I will respond as soon as possible upon my return.

Message

From: Schmid, Emily [Schmid.Emily@epa.gov]
Sent: 10/27/2020 3:09:17 PM
To: Schmid, Emily [Schmid.Emily@epa.gov]
Subject: FW: Tavium Label
Attachments: ATT00001.txt

Importance: High

Make sure this makes it into the jacket.

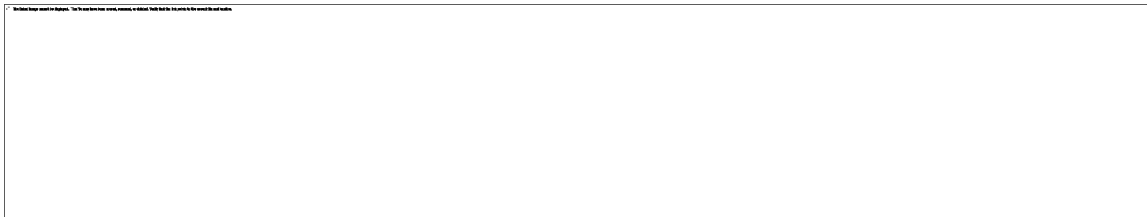
From: Dixon Monty USGR <monty.dixon@syngenta.com>
Sent: Tuesday, October 27, 2020 11:01 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Tavium Label
Importance: High

Hi Dan,

Thanks for the chance to review. We accept these additional clarifications/tweeks. We noticed on place where an additional "of" is required. Please see snip below, page 10, A.4.

Also, in your message, you indicate the "training requirements" are identical, did you mean the Evaluation components as shown in the highlights below. If these are the same for all three registrants, Syngenta provides its concurrence.

Thanks
Monty



From: Kenny, Daniel <Kenny.Dan@epa.gov>
Sent: Tuesday, October 27, 2020 10:09 AM
To: Dixon Monty USGR <monty.dixon@syngenta.com>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Monty. I had no problems with the clarifications, so they are all in there. I can also confirm that the training requirements are identical for the other two registrants.

Unfortunately, a few more clarifications have created the need for a few more tweaks in Appendix D. Otherwise, this is unchanged from your previous document. To make it easy to spot and consider the changes, I am sending a redline copy as well as a clean copy. Please review and respond to this by 11:00 this morning.

Sorry for the rush, things are crazy today.

Thanks,
Dan

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Tuesday, October 27, 2020 9:32 AM

To: Kenny, Daniel <Kenny.Dan@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

Importance: High

Hi Dan,

Please find the draft terms. We have made a few edits that we believe help with the readability...i.e. after the first instance of A21472 referring indicating that that to Tavium throughout. To address this, we modified the introduction to read "The previously approved labeling of A21472 Plus VaporGrip Technology [herein referred to by the alternate brand name: Tavium® Plus VaporGrip® Technology]" and then made sure all subsequent references were consistently referred to as Tavium. We also found a few typos/missing areas that were address.

Please note that in once section on page 12, Syngenta wants to ensure consistency with the other products. We are supportive of these points if required of all three (Engenia, Xtendimax and Tavium).

Syngenta therefore concurs with these draft terms of registration if the aforementioned consistency is achieved for the highlighted sections below. Please let me know if this requires additional discussion or consideration by the Agency.

Please feel free to contact me at any time today if I can be of assistance,

Thanks
Monty

C. Evaluation Component:

1. Syngenta will annually conduct a survey directed to users of ~~A21472~~Tavium Plus VaporGrip Technology for use over-the-top of dicamba tolerant soybean or cotton. This survey must be based on a statistically representative sample. The sample size and geographical resolution should be adequate to allow analysis of responses within regions, between regions, and across the United States. Syngenta must submit the draft survey to EPA as well as the survey results. This survey shall evaluate, at a minimum, the following:
 - a. Growers' and users' adherence to the terms of the ~~A21472~~Tavium Plus VaporGrip Technology Use Directions and Label Restrictions, if ~~A21472~~Tavium Plus VaporGrip Technology is used, and
 - b. Whether growers have encountered any perceived issue with non-performance or lack of efficacy of ~~A21472~~Tavium Plus VaporGrip Technology and, if so, how growers have responded.
 - c. Whether growers have reported any issues with non-performance or lack of efficacy of ~~A21472~~Tavium Plus VaporGrip Technology and how the company representatives have responded.
 - d. A question asking about awareness of public records of resistance (e.g., any awareness of popular press or industry publications on dicamba resistance or suspected resistant biotypes).
 - e. A question directed to asking about awareness of personal/neighbor reports of resistance.
 - f. Application practices for dicamba product applied (rate, time, amount, etc.) to the fields planted with dicamba-resistant seed. |
2. Utilize the results from the survey described in paragraph 1 of this section to annually review, and modify as appropriate for the upcoming growing season, the following elements of Syngenta's resistance management plan:
 - a. Efforts aimed at achieving adoption of BMP's;
 - b. Responses to incidents of likely resistance and confirmed resistance; and
 - c. The education program and effectiveness of information dissemination. At the initiative of either EPA or Syngenta, EPA and Syngenta shall consult about possible modifications of the education program.



Dixon Monty USGR

Syngenta will support these points C.1.c – C.1.f if consistent requirement on all dicamba tolerant products (Engenia, Xtendimax and Tavium)

From: Kenny, Daniel <Kenny.Dan@epa.gov>

Sent: Monday, October 26, 2020 10:58 PM

To: Dixon Monty USGR <monty.dixon@syngenta.com>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Monty. Please see the attached updated terms. We'd appreciate it if you could have your folks go through it and indicate Syngenta's concurrence. This reflects the most recent changes from all of the discussions, but if you see something that you don't think is appropriate for your product, please point it out to us and we'll take a look. We'll hope to hear from you all sometime tomorrow morning.

Thanks,
Dan

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 8:19 PM

To: Kenny, Daniel <Kenny.Dan@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

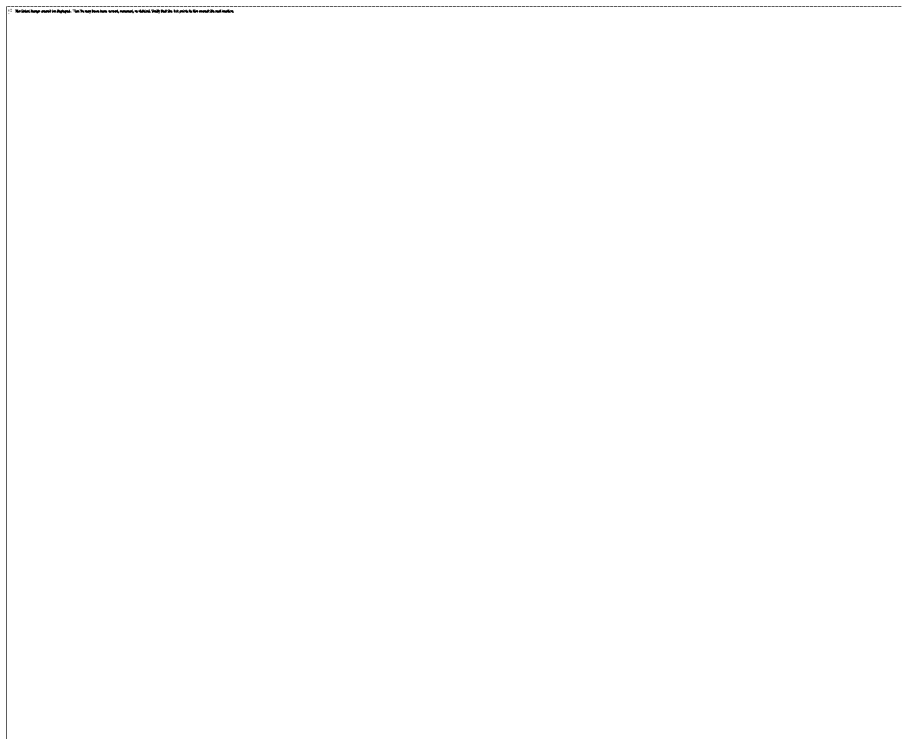
Subject: RE: Tavium Label

Hi Sarah,

Please find version G (000100-01623.20200812G.A21472_PLUS_VAPORGRIP_TECHNOLOGY.AMEND.AUG2020-CL.pdf) that contains edits on page adds the points 1 and 2 below as shown highlighted in the snip.

Thanks and please let me know if any additional edits are needed.

Monty



From: Kenny, Daniel <Kenny.Dan@epa.gov>

Sent: Monday, October 26, 2020 7:49 PM

To: Dixon Monty USGR <monty.dixon@syngenta.com>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Monty. I did a quick scan, and there are a couple things I saw. We'll need to have the team to a final sweep to make sure nothing from before was inadvertently changes, but in the meantime we can/should do just a couple things:

- 1) Sarah had mentioned a late breaking addition to the buffer exclusions if you were interested, and it just came through. If you'd like, you can expand the first exclusion to the buffer area that currently discusses mowed grass fields to read "...mowed grass areas, and areas of bare ground from recent plowing or grading that are contiguous to the treated field."
- 2) We need to change the heading from that section from "Sensitive Areas". That has been causing huge confusion on whether they need to always observe the buffer or only if it's considered a sensitive area. Please change the heading to read something like "Spray Buffers", or something like that. That would improve the issue quite a bit.

Thanks very much,

Dan

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 7:32 PM

To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

Importance: High

Hello Sarah,

Please find the revised label for Tavium (000100-01623.20200812.A21472_PLUS_VAPORGRIP_TECHNOLOGY.AMEND.AUG2020-CL.pdf). The only change from the earlier version was the rewording of section 4.7 (page 16) as discussed below. Please let me know if any further changes are needed, I will be available at anytime.

With Kind Regards,

Monty

From: Meadows, Sarah <Meadows.Sarah@epa.gov>

Sent: Monday, October 26, 2020 7:11 PM

To: Dixon Monty USGR <monty.dixon@syngenta.com>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That's right. Thanks, Monty.

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 7:05 PM

To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

Hi Sarah,

I realize our emails of 6:54 crossed paths. For clarity and based upon the note below, and the attached email...we are going to add back the language that is aligned/the same as Bayers label. Please let me know if that is not correct.

Thanks

Monty

From: Meadows, Sarah <Meadows.Sarah@epa.gov>

Sent: Monday, October 26, 2020 6:54 PM

To: Dixon Monty USGR <monty.dixon@syngenta.com>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Monty. Yes, you can include that language. Sorry for the confusion.

Thanks,

Sarah

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 6:24 PM

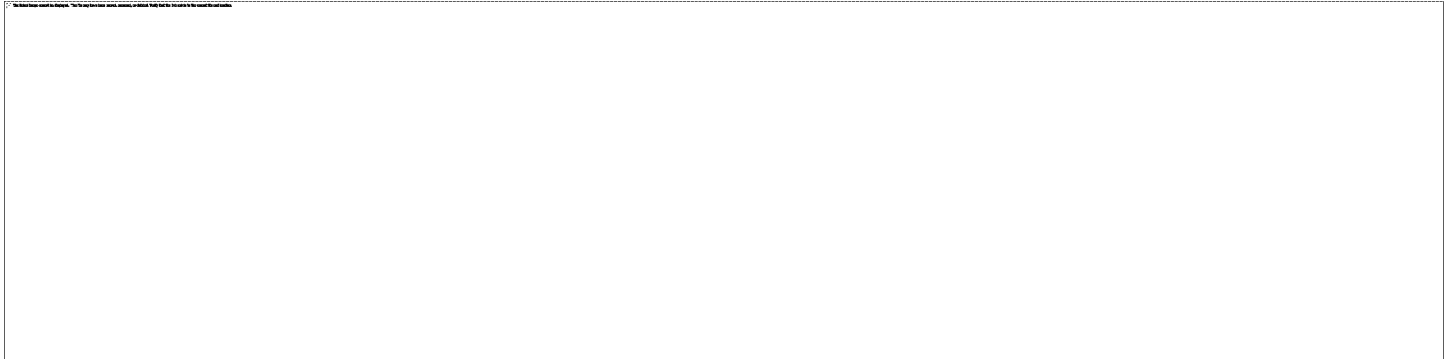
To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

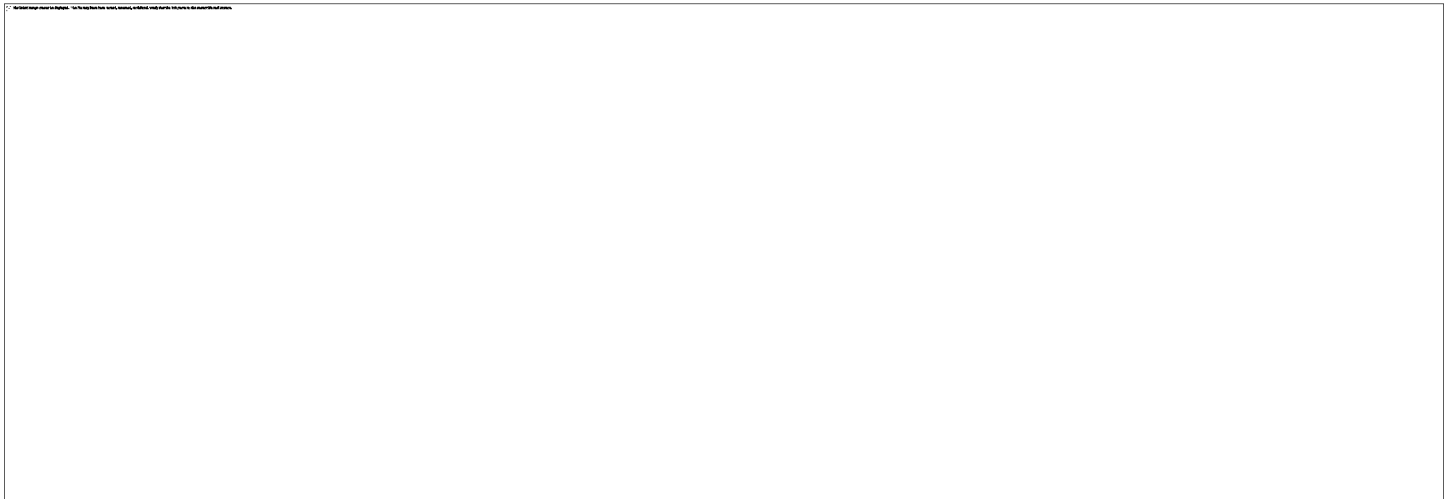
Subject: RE: Tavium Label

Hi Sarah,

Thanks. One last question to hopefully ensure consistency, Bayer shared their label with us which has the following:



We were instructed to remove this in our label comments received Friday (see below)



May we include the struck language back?

Thanks
Monty

From: Meadows, Sarah <Meadows.Sarah@epa.gov>
Sent: Monday, October 26, 2020 6:10 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Monty. You can go ahead and send me the new version now just in case we don't need another change. And there's no need for a highlighted copy, just a clean copy.

Thanks,

Sarah

From: Dixon Monty USGR <monty.dixon@syngenta.com>
Sent: Monday, October 26, 2020 6:08 PM
To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Tavium Label

Hi Sarah,

I will have that put back and we can send it back in the event there the other change ends up not being required unless you prefer me to wait for the final label change.

Also, for ease of these final reviews, would you prefer I only include version highlighting these last changes or is it better to include the version with all changes in the earlier iterations highlighted..

Thanks
Monty

From: Meadows, Sarah <Meadows.Sarah@epa.gov>
Sent: Monday, October 26, 2020 5:37 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>; Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Monty. I noticed one statement has been removed that we'll need you to add back. I have noted it in the attached file. There may be one other label change needed tonight, but I wanted to go ahead and give you the heads up on this.

Thanks,

Sarah

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 5:02 PM

To: Schmid, Emily <Schmid.Emily@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

Hi Emily,

Thanks and again apologies for sending multiple version so quickly. I am available at anytime the rest of the day/evening if needed.

Best Regards,
Monty

From: Schmid, Emily <Schmid.Emily@epa.gov>

Sent: Monday, October 26, 2020 4:34 PM

To: Dixon Monty USGR <monty.dixon@syngenta.com>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Subject: RE: Tavium Label

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Hi Monty,

Sarah is helping me check the label so I forwarded this latest version to her.

Thank you,
Emily

From: Dixon Monty USGR <monty.dixon@syngenta.com>

Sent: Monday, October 26, 2020 4:21 PM

To: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>

Subject: RE: Tavium Label

Importance: High

Hi Emily,

I was just alerted to one change that will be needed for a smoc maximum rate in the cotton sections. Specifically, section 8.1.1 section 3.b. should read as follows:

- DO NOT exceed ~~3.71~~ 2.48 lb ai/A/year of S-metolachlor-containing products on medium- or fine -textured soils.

This is the only needed change.

I am very sorry for this needed correction and hope this does not create too much inconvenience.

Thanks
Monty

From: Dixon Monty USGR
Sent: Monday, October 26, 2020 4:03 PM
To: 'Schmid, Emily' <Schmid.Emily@epa.gov>; 'Crawford, Lydia' <Crawford.Lydia@epa.gov>
Cc: kenny.dan@epa.gov <kenny.dan@epa.gov>; 'Echeverria, Marietta' <Echeverria.Marietta@epa.gov>
Subject: RE: Tavium Label

Hello Emily,

My label team just provided this version that highlights all changes made today including adding the typographical edits as well as those mentioned below. This version may be easier for your review. Please therefore find the clean and this version with only today's edits added.

Thanks
Monty

From: Dixon Monty USGR
Sent: Monday, October 26, 2020 3:56 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: kenny.dan@epa.gov <kenny.dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: Tavium Label

Hi Emily,

Please find attached the revised labels. As requested, we have added page numbers and made the following changes:

Section (Page)	Previous Version	New Version
4.7 (16)	Applications of this product may qualify for reduced use restrictions, such as a reduced downwind buffer distance, provided a qualified DRT listed on www.TaviumTankMix.com is used and operated according to the directions and limitations provided at www.TaviumTankMix.com .	<i>Deleted based upon guidance below</i>
4.7.1 (16)	<i>Requirements for Reduced Use Restrictions with Optional Hooded/Shielded Sprayer:</i> ONLY qualified hooded/shielded sprayers listed on www.TaviumTankMix.com are eligible for reduced use restrictions when applying this product. Refer to the website for specific application requirements when using a	<i>Requirements for Reduced Use Restrictions with Optional Hooded/Shielded Sprayer:</i> ONLY qualified hooded/shielded sprayers listed on www.TaviumTankMix.com are eligible for reduced use restrictions when applying this product. If a qualified hooded/shielded sprayer is used for applications to dicamba-tolerant soybeans, the

	qualified hooded/shielded sprayer. While this product may be applied with other (non-qualified) hooded/shielded sprayers, no reduction in use restrictions is associated with their use.	downwind buffer is 110 feet. While this product may be applied with other (non-qualified) hooded/shielded sprayers, no reduction in use restrictions is associated with their use.
6.3.7 (23)	Roads, paved or gravel surfaces, mowed and/or managed areas adjacent to fields such as rights-of-ways.	Roads, paved or gravel surfaces, mowed grass areas adjacent to treated fields.

In addition, we corrected a couple of typos and removed the – from 240-foot to read 240 foot.

I have included a clean, highlighted (blue new edits) that includes all previous changes and then a single edit that shows the points in the chart above. Note the deletion in section 4.7 page 16 is not shown in the single edit but is in the highlighted version with all edits.

Please let me know if can do anything else on my end.

Thanks
Monty

From: Dixon Monty USGR
Sent: Monday, October 26, 2020 3:16 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Tavium Label

Hi Emily,

Just an update, hope to have label to you in next 15 to 20 minutes.

Thanks
Monty

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, October 26, 2020 1:45 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>
Subject: RE: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Monty,

Yes, I believe this is what he was talking about.

Add to "4.7 Optional Use of Drift Reduction Technology" (Page 15):
If approved hooded sprayer is used, the downwind buffer is 110'.

Let me know if I'm misunderstanding and you are looking for something else.

Thanks,
Emily

From: Dixon Monty USGR <monty.dixon@syngenta.com>
Sent: Monday, October 26, 2020 1:39 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Tavium Label

Hi Emily,

Yes, happy to do so. He had mentioned you were working on hooded sprayer language that we could incorporate. Do you have that by chance...if so we can add it to this version.

Thanks
Monty

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, October 26, 2020 1:37 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>
Subject: Tavium Label

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Monty,

Dan let me know that you were working on last edits to the label. I noticed it doesn't have page numbers. Could you add those? It will fail QAQC without them and I don't want to risk that.

You can go ahead and send the revised label to me as soon as you have it ready.

Thanks!
Emily

Emily Schmid
Product Manager 25
Herbicide Branch
Registration Division, Office of Pesticide Programs
U.S. Environmental Protection Agency

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/20/2020 7:41:19 PM
To: George Sabbagh [george.sabbagh@bayer.com]
Subject: RE: Xtendimax label comments

Thanks George!

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, October 20, 2020 3:36 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

<http://Xtendimaxapplicationrequirements.com> will be the site. It will remain the same.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Tuesday, October 20, 2020 8:48 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Thanks George.

Will the website on the label remain the same (<http://Xtendimaxapplicationrequirements.com>) or will it be updated to the links in the attached PDF?

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, October 20, 2020 7:57 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Hi Meg,

We are providing for informational purposes a copy of the prior label-linked website that was developed for the 2018 registration and that we will update the website before relaunch to reflect the label requirements and terms and conditions of the 2020 registration.

Please, reach out if you have questions or need additional information.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, October 19, 2020 10:00 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Hi Emily,

Xtendimaxapplicationrequirements.com site was set to redirecting traffic for now since the registration expired. The plan is to reactivate it once we have the new registration and have the final content.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



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Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, October 19, 2020 8:28 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Xtendimax label comments

Hi George,

I forgot to note it in the label comments, but could you update the tank mixing website? The website on the label, Xtendimaxapplicationrequirements.com, appears to not be active anymore but forwards to roundupreadyxtend.com. Will roundupreadyxtend.com replace the old one?

Thanks,
Emily

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Friday, October 16, 2020 6:43 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Understood.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

//////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 16, 2020 4:54 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Subject: RE: Xtendimax label comments

Sorry for the repeat email, but I did want to note that our general counsel are still reviewing the labels and we anticipate additional comments on subsequent rounds.

Best,
Lydia

From: Crawford, Lydia
Sent: Friday, October 16, 2020 4:47 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: Xtendimax label comments

Good evening George,

Please see the attached label comments for 264-RERN. Make requested changes and send back clean and highlighted copies of the label as quickly as you can. If you have any rebuttals, please include them in the body of the email response. Hope you have a pleasant weekend.
Thanks,

Lydia Crawford PhD
Biologist | Herbicide Branch | Registration Division
U.S. Environmental Protection Agency | Office of Pesticide Programs
(703) 347-0622 | Crawford.Lydia@epa.gov

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/16/2020 12:39:31 PM
To: Crawford, Lydia [Crawford.Lydia@epa.gov]
Subject: RE: Xtendimax Proposed Labeling
Attachments: MASTER LABEL_XtendiMax_264-RERN_20201014 LC ES.pdf; TAVIUM 100-1623 10.16.2020 LC ES.pdf; ENGENIA 7969-UTE label edits LC ES.pdf

Hmm, I must have missed something. The LRM says for category A (which I think this is) it should say wear waterproof gloves. If we're going to have them list them they should at least add all of the types of gloves (neoprene rubber ≥ 14 mils, Natural Rubber ≥ 14 mils, Poly-ethylene, Polyvinyl Chloride (PVC) ≥ 14 mils aren't included).

Sorry, I think I forgot to send my version of the XtendiMax label when I emailed you. I'm attaching all three here. We can talk but other than the glove thing, I feel okay about them. I sort of rushed through xtendimax but whatever, apparently a million people are going to look at them.

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 16, 2020 8:10 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Xtendimax Proposed Labeling

Hey Emily,
Awesome. Those should be all of the gloves that count as waterproof per the label review manual – we'd been switching to that language instead of just "waterproof gloves" so that its more specific. Do you want to jump on a meeting to talk about them before we send them off?
Best,
Lydia

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Friday, October 16, 2020 7:54 AM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Xtendimax Proposed Labeling

Hi Lydia,

I went through this one pretty quickly but I think I'd be okay sending it forward. The only thing I'm wondering about is the comment you made on the gloves (requiring certain kinds of gloves). The tox review and RED indicate any kind of gloves so I'm just wondering where that came from.

I'll look at the other two labels and see if I can clear up all of my questions enough to send them forward too.

Thanks,
Emily

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Thursday, October 15, 2020 5:27 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Xtendimax Proposed Labeling
Importance: High

Hey Emily, I added some more comments, so here is the label to use. Also, what do you think of us going through this label together rather than you reviewing it and then talking?

We need to send it to Marietta, Dan R, and OGC goal of noon tomorrow then they want it sent out to the companies by COB.

Thanks!

Lydia

From: Crawford, Lydia

Sent: Thursday, October 15, 2020 2:40 PM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: Xtendimax Proposed Labeling

Just finished my review of Bayer's label (attached).

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Wednesday, October 14, 2020 4:12 PM

To: Meadows, Sarah <Meadows.Sarah@epa.gov>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: Xtendimax Proposed Labeling

Thanks Sarah!

I will email the wider team to let them know this has arrived, since we've gotten questions about it today.

From: Meadows, Sarah <Meadows.Sarah@epa.gov>

Sent: Wednesday, October 14, 2020 4:10 PM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: Xtendimax Proposed Labeling

Here's the link to the label on MS Teams: <https://teams.microsoft.com/l/file/FB0818C1-73C6-4D50-995F-D51F2E5DA00A?tenantId=88b378b3-6748-4867-acf9-76aacbeca6a7&fileType=pdf&objectUrl=https%3A%2F%2Fsepa.sharepoint.com%2Fsites%2FDicambaPost-LitigationOutreach%2FShared%20Documents%2FReference%20Documents%2FLabels%20-%20OTT%20Dicamba%20Products%2F2020%20Labels%2FBayer%2FXTENDIMAX%20264-RERN%20label%20edits%2010.14.20.pdf&baseUri=https%3A%2F%2Fsepa.sharepoint.com%2Fsites%2FDicambaPost-LitigationOutreach&serviceName=teams&threadId=19:0a4673edc23747008254dd26a40aedf1@thread.skype&groupId=62fae67f-2cbb-4a0d-8955-e86ab473f214>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Wednesday, October 14, 2020 4:06 PM

To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: FW: Xtendimax Proposed Labeling

Hi Dan and Marietta:

Bayer's ears must have been burning during our afternoon meetings. Here is the latest Xtendimax label, hot off the presses. HB will start taking a look at this new version.

- Meg

From: Steven Callen <steven.callen@bayer.com>

Sent: Wednesday, October 14, 2020 3:59 PM

To: Meadows, Sarah <Meadows.Sarah@epa.gov>; Thomas Orr <thomas.orr@bayer.com>; Thomas Marvin <thomas.marvin@bayer.com>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Xtendimax Proposed Labeling

Hi Sarah,

Apologies for a bit of a delay, but we were making some final edits. While certain additional, minor refinements may be necessary before finalization, attached is Bayer's most up-to-date proposed XtendiMax label.

Thanks,
Steven

From: Meadows, Sarah <Meadows.Sarah@epa.gov>

Sent: Wednesday, October 14, 2020 2:19 PM

To: Thomas Orr <thomas.orr@bayer.com>; Steven Callen <steven.callen@bayer.com>; Thomas Marvin <thomas.marvin@bayer.com>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: Xtendimax Proposed Labeling

Hi, all. I'm reaching out again for a copy of the new proposed Xtendimax label. Please send us an updated copy ASAP.

Thanks,

Sarah

From: Meadows, Sarah

Sent: Tuesday, October 13, 2020 9:29 AM

To: ORR, THOMAS B [AG/1005] <thomas.b.orr@monsanto.com>; Steven Callen <steven.callen@bayer.com>; MARVIN, THOMAS [AG/1920] <thomas.marvin@bayer.com>

Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: Xtendimax Proposed Labeling

Hi, all. Please send us a clean copy of your most up-to-date proposed Xtendimax label. I know there may be some things to still discuss and finalize, but we'd like to have a fresh copy to review ASAP.

Thanks,

Sarah

Sarah True Meadows, PhD
US Environmental Protection Agency
Office of Pesticide Programs
Registration Division – Herbicide Branch

(703) 347-0505

meadows.sarah@epa.gov

Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/19/2020 2:08:25 PM
To: George Sabbagh [george.sabbagh@bayer.com]
CC: Crawford, Lydia [Crawford.Lydia@epa.gov]; BCSReg_Archive [esepamailbox@bayer.com]
Subject: RE: Xtendimax label comments

Hi George,

Thanks for letting me know. That makes sense since the old products aren't valid anymore.

-Emily

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, October 19, 2020 10:00 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Hi Emily,

Xtendimaxapplicationrequirements.com site was set to redirecting traffic for now since the registration expired. The plan is to reactivate it once we have the new registration and have the final content.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, October 19, 2020 8:28 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: Xtendimax label comments

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I forgot to note it in the label comments, but could you update the tank mixing website? The website on the label, Xtendimaxapplicationrequirements.com, appears to not be active anymore but forwards to roundupreadyxtend.com. Will roundupreadyxtend.com replace the old one?

Thanks,
Emily

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Friday, October 16, 2020 6:43 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Understood.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



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Bayer US LLC
801 Pennsylvania Avenue, NW
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Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
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From: Crawford, Lydia <Crawford.Lydia@epa.gov>
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To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Subject: RE: Xtendimax label comments

Sorry for the repeat email, but I did want to note that our general counsel are still reviewing the labels and we anticipate additional comments on subsequent rounds.

Best,

Lydia

From: Crawford, Lydia

Sent: Friday, October 16, 2020 4:47 PM

To: George Sabbagh <george.sabbagh@bayer.com>

Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>

Subject: Xtendimax label comments

Good evening George,

Please see the attached label comments for 264-RERN. Make requested changes and send back clean and highlighted copies of the label as quickly as you can. If you have any rebuttals, please include them in the body of the email response. Hope you have a pleasant weekend.

Thanks,

Lydia Crawford PhD

Biologist | Herbicide Branch | Registration Division

U.S. Environmental Protection Agency | Office of Pesticide Programs

(703) 347-0622 | Crawford.Lydia@epa.gov

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/19/2020 12:28:25 PM
To: George Sabbagh [george.sabbagh@bayer.com]
CC: Crawford, Lydia [Crawford.Lydia@epa.gov]
Subject: RE: Xtendimax label comments

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Thanks,
Emily

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Friday, October 16, 2020 6:43 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Xtendimax label comments

Understood.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements



Regulatory Engagement
Collaborating Across Organizations

////////////////////

Bayer US LLC
801 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 16, 2020 4:54 PM
To: George Sabbagh <george.sabbagh@bayer.com>

Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Subject: RE: Xtendimax label comments

Sorry for the repeat email, but I did want to note that our general counsel are still reviewing the labels and we anticipate additional comments on subsequent rounds.

Best,
Lydia

From: Crawford, Lydia
Sent: Friday, October 16, 2020 4:47 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: Xtendimax label comments

Good evening George,

Please see the attached label comments for 264-RERN. Make requested changes and send back clean and highlighted copies of the label as quickly as you can. If you have any rebuttals, please include them in the body of the email response. Hope you have a pleasant weekend.

Thanks,

Lydia Crawford PhD
Biologist | Herbicide Branch | Registration Division
U.S. Environmental Protection Agency | Office of Pesticide Programs
(703) 347-0622 | Crawford.Lydia@epa.gov

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/19/2020 10:43:04 AM
To: Crawford, Lydia [Crawford.Lydia@epa.gov]
Subject: RE: Dicamba labels for review

Thanks for taking care of this, Lydia!

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 16, 2020 4:56 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Dicamba labels for review

Thank you for the comments; they have been incorporated across all three labels. In response to your note on the weed resistance management, Marietta, I added a comment with the standard language from PRN 2017-1 and -2. If we want to request different language, just let me know, and I'll be happy to include that in the next round of comments.

There were a couple comments to remove the crop planting date and the number of days after plants from the record keeping requirements – I agree with these comments but tabled them to discuss within HB before sending to the registrants.

The labels have been sent to the registrants.

I hope everyone can have as relaxing a weekend as possible and thank you for all the feedback.

Best,
Lydia

From: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Sent: Friday, October 16, 2020 3:30 PM
To: Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Subject: RE: Dicamba labels for review

I got through Engenia and page 6 of xtendimax. Please apply anything relevant from engenia to xtendimax.

From: Knorr, Michele <knorr.michele@epa.gov>
Sent: Friday, October 16, 2020 3:20 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Subject: RE: Dicamba labels for review

I will not be able to review by 4 either. Maybe I can look at it over the weekend for anything that needs to be discussed on Monday.

Michele L. Knorr, Attorney
Pesticides and Toxic Substances Law Office
Office of General Counsel
202-564-5631

From: Garrison, Scott <Garrison.Scott@epa.gov>

Sent: Friday, October 16, 2020 3:11 PM

To: Crawford, Lydia <Crawford.Lydia@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>

Subject: RE: Dicamba labels for review

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside U.S. Government.

My comments on Xtendimax are attached. I'll try to look at Engenia, but won't be done by your 4pm deadline. So please apply my comments to all 3 labels, to the extent applicable.

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Crawford, Lydia <Crawford.Lydia@epa.gov>

Sent: Friday, October 16, 2020 9:55 AM

To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>

Subject: Dicamba labels for review

Good morning everyone,

Attached are the most recent labels for Tavium, Xtendimax, and Engenia including RD comments. Please add any comments you have with a **dropdead time of 4pm**, so I can review the comments and send it to the companies by COB. Jan and Kimberly, this is primarily for your awareness, so please don't feel pressured to comment; I know you have a lot on your plate today.

Best,

Lydia Crawford PhD
Biologist | Herbicide Branch | Registration Division
U.S. Environmental Protection Agency | Office of Pesticide Programs
(703) 347-0622 | Crawford.Lydia@epa.gov

Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 7/8/2020 12:58:59 PM
To: Steven Callen [steven.callen@bayer.com]
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Thanks, Steven! The new file symbol will be 264-RERN so you can put that on there too.

From: Steven Callen <steven.callen@bayer.com>
Sent: Tuesday, July 07, 2020 11:16 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Thanks for the heads up, Emily! I need to update the CSF from Monsanto to Bayer information, but, once that is done, I will have it submitted through the portal for you. It's a busy week for me, but I will try to get this done by week's end.

Thanks,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Tuesday, July 07, 2020 12:03 PM
To: Steven Callen <steven.callen@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Steven,

Yes, it should go through the portal for sure. Once the contractor starts going through the package, they will definitely be looking for that. It would be great to get a courtesy copy of that as well, if you don't mind sending it.

Thank you!
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Tuesday, July 07, 2020 12:50 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: George Sabbagh <george.sabbagh@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Emily,

You're welcome!

There was no CSF that was submitted with the package. There are no changes from the prior XtendiMax CSF (524-617). Would you like me to send it to you and/or through the portal?

Best,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Tuesday, July 07, 2020 11:24 AM
To: Steven Callen <steven.callen@bayer.com>
Cc: George Sabbagh <george.sabbagh@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Steven,

Thank you for sending these! Was a CSF submitted with the package?

Best regards,
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Tuesday, July 07, 2020 11:51 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: George Sabbagh <george.sabbagh@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Good morning, Emily,

Attached are the rest of the documents that were included in the submission last Thursday. Please let me know if you need anything else or have any questions. Thanks!

Best,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Tuesday, July 07, 2020 8:20 AM
To: Steven Callen <steven.callen@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Good morning,

Could you go ahead and send me courtesy copies of the submission documents? I know you already sent the cover letter and application form so you don't need to send those again.

Thank you,
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Monday, July 06, 2020 12:20 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Sounds good! Thanks, Emily!

Best,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, July 06, 2020 11:14 AM
To: Steven Callen <steven.callen@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Thanks Steven. I don't need them yet but I haven't gotten any instructions yet on how to proceed. I'll let you know if we need courtesy copies of anything.

Best regards,
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Monday, July 06, 2020 11:34 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Emily,

Thanks for the insight regarding the front end. We did get notification that the PSP package (New Product Registration: Alternate Brand Name XtendiMax With VaporGrip) for BAYER CROP SCIENCE LP (264) was successfully transmitted to OPP (Sec3-New-000001: CDX_2020_006920). Anyway, if it helps, I can send you the label and data matrix that were submitted.

Have a great week!
Best,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, July 06, 2020 8:30 AM
To: Steven Callen <steven.callen@bayer.com>
Cc: Thomas Orr <thomas.orr@bayer.com>; George Sabbagh <george.sabbagh@bayer.com>
Subject: RE: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Steven,

Thank you for the heads up. I'll watch for it. However, it is currently taking our front end processing a long time to get actions to us.

Best regards,
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Thursday, July 02, 2020 4:15 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Thomas Orr <thomas.orr@bayer.com>; George Sabbagh <george.sabbagh@bayer.com>
Subject: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology)

Hi Emily,

Bayer Crop Science (EPA Company Number 264) is providing here a courtesy copy of the 8570-1 form and cover letter that was submitted today through the electronic portal along with other documents for a new product registration for M1768 Herbicide (XtendiMax® With VaporGrip® Technology). The Package ID is **EP-844485** and the CDX confirmation code is **CDX_2020_006920**. This was submitted under PRIA category R320, "New product; new physical form; requires data review in science divisions."

Please reach out to me or George Sabbagh if you have any questions or concerns.

Have a great long Independence Day weekend!

Sincerely,
Steven

Steven T. Callen, Ph.D.
Regulatory Affairs Manager

//////////

Bayer U.S. – Crop Science
Monsanto Company
Global Chemistry & Seed Regulatory Affairs
700 Chesterfield Parkway West
Mail Zone: FF4B
Chesterfield, MO 63017, USA
Tel: +1 (636) 737-1133
Fax: +1 (636) 737-5390
Cell: +1 (314) 302-9391
E-mail: steven.callen@bayer.com
Web: <http://www.bayer.com>

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 7/7/2020 12:01:45 PM
To: Britten, Anthony [Britten.Anthony@epa.gov]; Balan, Aswathy [Balan.Aswathy@epa.gov]; Yanchulis, Michael [Yanchulis.Michael@epa.gov]
Subject: High Priority Dicamba Actions
Attachments: Bayer CropScience LP New Product Submission (R320): M1768 Herbicide (XtendiMax With VaporGrip Technology); Engenia herbicide registration submission

Good morning,

I was hoping one of you could help me track down a couple of new products, or tell me who might be able to help me. Bayer and BASF submitted new dicamba products on 7/2 that we are already getting pushed by upper management to start reviewing (Alex wants a decision by October). I have not been able to find them on any reports, in OPPIN, or in documentum. I don't have much to go on. I can ask the companies for more information, though I'm not sure what to ask for. I have attached both of their emails notifying me of the submission.

BASF – PRIA R320, Engenia (though might have a different name), submission made on 7/2, dicamba
Bayer – PRIA R320, M1768 Herbicide, submitted 7/2, dicamba, package ID EP-844485, CDX_2020_006920

Let me know if you have any advice for me or if there is someone else you think I should contact about this. Maybe this is something that needs to be elevated and I should get Dan or Mike involved, I really don't know.

Thank you,
Emily

Emily Schmid
Product Manager 25
Herbicide Branch
Registration Division, Office of Pesticide Programs
U.S. Environmental Protection Agency

Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 8/3/2020 4:26:33 PM
To: Steven Callen [steven.callen@bayer.com]
CC: Thomas Orr [thomas.orr@bayer.com]; George Sabbagh [george.sabbagh@bayer.com]; BCSReg_Archive [esepamailbox@bayer.com]
Subject: RE: Bayer CropScience White Paper Submission in Support of 2020 Registration of XtendiMax With VaporGrip Technology (264-RERN)

Thank you, Steven! It looks like this was already forwarded on for the team to start looking at it while I was out.

From: Steven Callen <steven.callen@bayer.com>
Sent: Monday, July 27, 2020 12:32 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Cc: Thomas Orr <thomas.orr@bayer.com>; George Sabbagh <george.sabbagh@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: Bayer CropScience White Paper Submission in Support of 2020 Registration of XtendiMax With VaporGrip Technology (264-RERN)

Good morning, Emily,

Bayer Crop Science (EPA Company Number 264) is providing here a courtesy copy of the 8570-1 form, cover letter, and white paper that was submitted today through the electronic portal along with other documents in support of the 2020 registration decision for XtendiMax® With VaporGrip® Technology (M1768 Herbicide), EPA Reg. No. 264-RERN.

Please reach out to me or George Sabbagh if you have any questions or concerns.

Have a wonderful vacation!

Sincerely,
Steven

Steven T. Callen, Ph.D.
Regulatory Affairs Manager

//////////

Bayer U.S. – Crop Science
Monsanto Company
Global Chemistry & Seed Regulatory Affairs
700 Chesterfield Parkway West
Mail Zone: FF4B
Chesterfield, MO 63017, USA
Tel: +1 (636) 737-1133
Fax: +1 (636) 737-5390
Cell: +1 (314) 302-9391
E-mail: steven.callen@bayer.com
Web: <http://www.bayer.com>

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Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 4/6/2020 4:13:27 PM
To: Steven Callen [steven.callen@bayer.com]
Subject: RE: Welcome to Bayer MyTransfer Pgh!

Thanks again!

From: Steven Callen <steven.callen@bayer.com>
Sent: Monday, April 06, 2020 12:13 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Welcome to Bayer MyTransfer Pgh!

Hi Emily,

Yes it was. Thanks for checking!

Best,
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, April 06, 2020 11:08 AM
To: Steven Callen <steven.callen@bayer.com>
Subject: RE: Welcome to Bayer MyTransfer Pgh!

Hi Steven,

Thanks for confirming! Was the same data sent to Sarah Meadows?

Thank you,
Emily

From: Steven Callen <steven.callen@bayer.com>
Sent: Monday, April 06, 2020 10:29 AM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: RE: Welcome to Bayer MyTransfer Pgh!

Hi Emily,

Thanks for reaching out about your concern. Yes, this email was generated for me. The meteorological data that we are providing as linked files in a Word document made the file too large to send via my regular email account. This MyTransfer Pgh is our system that allows us to send larger files.

Thanks!
Steven

From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Monday, April 06, 2020 6:04 AM
To: Steven Callen <steven.callen@bayer.com>
Subject: RE: Welcome to Bayer MyTransfer Pgh!

Hi Steven,

Could you let me know what this is? I just want to verify that it is legitimate before I create a password and download.

Thank you,
Emily

From: Steven Callen (STCALL) via Bayer MyTransfer Pgh Notification Service <mytransfer-pgh_no_reply@bayer.com>
Sent: Friday, April 03, 2020 6:48 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: Welcome to Bayer MyTransfer Pgh!

Welcome to Bayer MyTransfer Pgh!

A new user account and file package has been created for you from **Steven Callen (STCALL)**

Subject: XtendiMax Conditions of Registration - Requested Meteorological Data

Your account information is as follows:

Username: schmid.emily@epa.gov
Password: *has been sent separately*

Please use the following URL and your username/password to login and view this package. You will also be given the opportunity to send a secure reply to this package.

<https://mytransfer-pgh.bayer.biz/human.aspx?OrgID=5913&Arg12=message&Arg06=661023078&Arg08=80g0g3a024obr205&username=schmid.emily%40epa.gov>

If you need assistance, please contact the Bayer employee who sent you the file package.

Regards,
Bayer MyTransfer Pgh Notification Service

This service is for business purpose only! Unauthorized access and the upload of unlawful content is strictly prohibited. Misuse of this service will lead to account disabling.

Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/24/2020 12:31:19 PM
To: Crawford, Lydia [Crawford.Lydia@epa.gov]
Subject: RE: labels for secondary review

Haha, a little less great! Sorry, I ran out of time. Thanks Lydia!

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 23, 2020 5:20 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: RE: labels for secondary review

Here are all three for easy access. Emily didn't have time to add to Xtendimax (I misread that last email, but she's still great!)

From: Kenny, Daniel <Kenny.Dan@epa.gov>
Sent: Friday, October 23, 2020 5:18 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: RE: labels for secondary review

I believe they are in Emily's email below in the thread. Do you want me to resend them to you?

From: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Sent: Friday, October 23, 2020 5:17 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: RE: labels for secondary review

No attachment?

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Friday, October 23, 2020 5:16 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: RE: labels for secondary review

A huge thank you to Emily for all your hard work on these labels and combining them while I was offline.

Dan K – These two labels are ready for your review, Emily just sent the email with her comments on most of Xtendimax. I'll check back in in a few hours (between 9 and 10pm after my flight lands) and will go over all the comments then send it off to the registrants.

Best,
Lydia

From: Schmid, Emily <Schmid.Emily@epa.gov>

Sent: Friday, October 23, 2020 3:12 PM

To: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Subject: RE: labels for secondary review

Here are my comments on Tavium and Engenia. I'm getting a lot of emails about registration notices so I'm going to turn my attention back to those. I don't have time to look at Xtendimax.

From: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>

Sent: Friday, October 23, 2020 2:53 PM

To: Crawford, Lydia <Crawford.Lydia@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Subject: RE: labels for secondary review

Here's my comments on the other two. Thanks

From: Rosenblatt, Daniel

Sent: Friday, October 23, 2020 12:44 PM

To: Crawford, Lydia <Crawford.Lydia@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Subject: RE: labels for secondary review

Lydia – All – here's some comments on the BASF one. I'll look at the other two next. Let me know if there are questions or things for discussion.

From: Crawford, Lydia <Crawford.Lydia@epa.gov>

Sent: Thursday, October 22, 2020 12:19 PM

To: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Cc: Meadows, Sarah <Meadows.Sarah@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Subject: labels for secondary review

Here are the labels for Xtendimax, Engenia, and Tavium. Since everyone is busy working on the decision document and registration notices, please get your comments to me by **noon tomorrow** so I can condense and send them to the registrants. Let me know if you have any questions or concerns.

Ex. 5 Deliberative Process (DP)

best,

Lydia Crawford PhD

Biologist | Herbicide Branch | Registration Division

U.S. Environmental Protection Agency | Office of Pesticide Programs

(703) 347-0622 | Crawford.Lydia@epa.gov

Message

From: Schmid, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C06B35A5F814370B9A92D394F969332-HARTMAN, EMILY]
Sent: 10/23/2020 12:35:45 PM
To: Knorr, Michele [Knorr.Michele@epa.gov]
Subject: FW: labels for secondary review
Attachments: 100-01623.20200812C.A21472_PLUS_VAPORGRIP_TECHNOLOGY.AMEND.AUG2020 LC.pdf; 007969-00UTE.20201020.NVA 2020-04-385-0133 LC.pdf; MASTER LABEL_XtendiMax_264-RERN_20201020 LC.pdf

Michele, see my response to Scott. These are the labels.

From: Schmid, Emily
Sent: Friday, October 23, 2020 8:12 AM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Subject: FW: labels for secondary review

Here are the labels.

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Thursday, October 22, 2020 12:19 PM
To: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
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Biologist | Herbicide Branch | Registration Division
U.S. Environmental Protection Agency | Office of Pesticide Programs
(703) 347-0622 | Crawford.Lydia@epa.gov

Message

From: Tindall, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=983B268636CD435EA667348CF3BDE109-TINDALL, KE]
Sent: 10/28/2020 12:31:08 AM
To: Biggio, Patricia [biggio.patricia@epa.gov]
Subject: RE: OPP Shout-out (bcc OPP-ALL)

Thanks! Just glad it is over!

From: Biggio, Patricia <biggio.patricia@epa.gov>
Sent: Tuesday, October 27, 2020 6:47 PM
To: Tindall, Kelly <tindall.kelly@epa.gov>
Subject: FW: OPP Shout-out (bcc OPP-ALL)

Bravo, Kelly!!! Congrats on a(nother) job well done!

From: Messina, Edward <Messina.Edward@epa.gov>
Sent: Tuesday, October 27, 2020 6:15 PM
Subject: OPP Shout-out (bcc OPP-ALL)

Today at a live event with cotton growers in Brooklet, GA, EPA Administrator Wheeler announced the approval of new registrations for two (OTT) dicamba products and an extension of the registration for an additional OTT dicamba product. All three registrations include new stringent control measures to protect the environment, including non-target plants, animals, and other crops not tolerant to dicamba. These registrations are only for use on dicamba-tolerant (DT) cotton and DT soybeans and will expire in 2025. To manage off-site movement of dicamba, EPA's 2020 registration features important control measures (<https://beta.regulations.gov/docket/EPA-HQ-OPP-2020-0492/document>). Some of these new control measures include a downwind buffer of 240 feet and 310 feet in areas where listed species are located and prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.

Congratulations to the Dicamba team listed below for a job well done!



EPA Announces 2020 Dicamba Registration Decision

Brooklet, Ga. (October 27, 2020) — At the Cromley Farm, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

“With today’s decision, farmers now have the certainty they need to make plans for their 2021 growing season,” **said EPA Administrator Andrew Wheeler.** “After reviewing substantial amounts of new information, conducting scientific assessments based on the best available science, and carefully considering input from stakeholders we have reached a resolution that is good for our farmers and our environment.”

Through today’s action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium Plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- Requiring a downwind buffer of 240 feet and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority [FIFRA section 24](#) gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

This action was informed by input from state regulators, grower groups, academic researchers, pesticide manufacturers, and others. EPA reviewed substantial amounts of new information and conducted assessments based on the best available science, including making Effect Determinations under the Endangered Species Act (ESA). With this information and input, EPA has concluded that these registration actions meet Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration standards. EPA believes that these new analyses address the concerns expressed in regard to EPA’s 2018 dicamba registrations in the June 2020 U.S. Court of Appeals for the Ninth Circuit. Further, EPA concluded that with the control measures now required on labels, these actions either do not affect or are not likely to adversely affect endangered or threatened species.

To view the final registration of the dicamba products, visit docket EPA-HQ-OPP-2020-0492 at www.regulations.gov.

Background

The United States is the world's leading soybean producer and second-leading soybean exporter and also serves as the world's third-largest cotton producer and the leading cotton exporter. Today, there are limited cost-effective options to control herbicide-resistant weeds affecting these commodities. In 2018, approximately 41 percent of U.S. soybean acreage was planted with dicamba-tolerant (DT) seed and almost 70 percent of U.S. cotton acreage was planted with DT seed in 2019. Relative to alternative herbicide programs, postemergence dicamba may reduce weed control costs for some growers, possibly by as much as \$10 per acre, or over five percent of net operating revenue, not accounting for all measures growers will have to take to control off-field movement of dicamba.

Following reports of damage resulting from the off-site movement of dicamba, EPA amended the dicamba registration labels in 2017 and in 2018. In June 2020, the U.S. Court of Appeals for the Ninth Circuit vacated the registrations for three dicamba products: XtendiMax with VaporGrip Technology, Engenia Herbicide, and DuPont FeXapan Herbicide. As a result of the Court's decision, EPA issued cancellation orders outlining limited circumstances under which existing stocks of the three affected products could be distributed and used until July 31, 2020.

Dicamba Team

Immediate Office

Mike Goodis

RD:

Marietta Echeverria

Dan Rosenblatt

Dan Kenny

Emily Schmid

Meg Hathaway

Sarah Meadows

Lydia Crawford

EFED:

Jan Matuszko

Brian Anderson

Mark Corbin

Charles (Chuck) Peck

Frank Farruggia

Ed Odenkirchen

Douglas (Ethan) Harwood

Michael Wagman

Jennifer Connolly

Monica Wait

BEAD:

Kimberly Nesci

Neil Anderson
Tim Kiely
Monisha Kaul
Brad Kells
TJ Wyatt
Bill Chism
Jonathan Becker
Kelly Tindall
John Orlowski

HED:

Dana Vogel
David Miller
Sarah Dobreniecki
Erin Jones
Kelly Lowe
Peter Savoia

FEAD:

Rhina Lara
Maya Piper
Carissa Cyran
Gregory Siedschlag
Allison Dennis
Sandra O'Neill
Kaitlin Picone
Emily Ryan
Rachel Ricciardi
Loren LaPointe
Cindy Wire

ITRMD:

Sharon McBride

PTSLO:

Erin Koch
Michele Knorr
Scott Garrison

Ed Messina, Esq.
Acting Office Director
Office of Pesticide Programs
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
Washington, D.C.
p: (703) 347-0209

Message

From: Matuszko, Jan [matuszko.jan@epa.gov]
Sent: 9/2/2020 4:10:14 PM
To: Odenkirchen, Edward [Odenkirchen.Edward@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Wagman, Michael [Wagman.Michael@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]; Harwood, Douglas (Ethan) [harwood.douglas@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]
Subject: Conversation with Anderson, Brian, Corbin, Mark, Farruggia, Frank, Harwood, Douglas (Ethan), Matuszko, Jan, Odenkirchen, Edward, Peck, Charles

Wagman, Michael 11:10 AM:

Thanks! Looks like from the previous slide

Ex. 5 Deliberative Process (DP)

?

Peck, Charles 11:10 AM:

yup

Peck, Charles 11:11 AM:

I haven't seen the 2020 study

Matuszko, Jan 11:11 AM:

Bayer's order of topics wasn't ideal but I didn't want to start out the meeting being contrary. If we want to get to run-off, I suggest we really only ask questions that we really need to know.

Matuszko, Jan 11:12 AM:

then the 2020 study is one thing on our list they need to give us.

Farruggia, Frank 11:12 AM:

So to what extent do you think we need to address **Ex. 5 Deliberative Process (DP)**

Peck, Charles 11:13 AM:

I don't think

Ex. 5 Deliberative Process (DP)

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Wasn't trying to step on you guys. Wanted to give you protection so you didn't need to talk about your progress today. :)

Farruggia, Frank 11:14 AM:

I agree, we could **Ex. 5 Deliberative Process (DP)**

Farruggia, Frank 11:14 AM:

Thanks!

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nope, thanks for fielding that question! :)

Peck, Charles 11:15 AM:

looks like plant height is their metric

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yep.

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not using new data in their calcs?

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2019 and 2020 data is included

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yes, we are not far from their measure using direct measures of height.

Farruggia, Frank 11:16 AM:

I am assuming **Ex. 5 Deliberative Process (DP)**

Wagman, Michael 11:16 AM:

Ex. 5 Deliberative Process (DP)

Farruggia, Frank 11:16 AM:

thats right but **Ex. 5 Deliberative Process (DP)**

Corbin, Mark 11:16 AM:

remember **Ex. 5 Deliberative Process (DP)**

Wagman, Michael 11:16 AM:

good point

Farruggia, Frank 11:18 AM:

it is important to note that they **Ex. 5 Deliberative Process (DP)**

Matuszko, Jan 11:18 AM:

ok. Ask about this as needed. They have a different number than we do.

Peck, Charles 11:18 AM:

Ex. 5 Deliberative Process (DP)

Matuszko, Jan 11:18 AM:

should we ask them if they think **Ex. 5 Deliberative Process (DP)**

Farruggia, Frank 11:19 AM:

Ex. 5 Deliberative Process (DP)

Peck, Charles 11:19 AM:

Ex. 5 Deliberative Process (DP)

Matuszko, Jan 11:20 AM:

ok. so we are close **Ex. 5 Deliberative Process (DP)**

Farruggia, Frank 11:22 AM:

i hope that is ok.

Matuszko, Jan 11:22 AM:

yes!

Matuszko, Jan 11:23 AM:

WE have to go here. ultimately, that's what these conversations are for.

Farruggia, Frank 11:25 AM:

Im not sure what the white paper they are reffering to.

Farruggia, Frank 11:26 AM:

perfect Chuck!

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I think they are referring to the white paper they submitted back in June with the VGX and their proposed mitigation options

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Farruggia, Frank 11:28 AM:
I will refresh myself

Matuszko, Jan 11:28 AM:
haha. thanks.

Farruggia, Frank 11:30 AM:
why are we meeting again?

Peck, Charles 11:30 AM:
so I guess they don't **Ex. 5 Deliberative Process (DP)**

Farruggia, Frank 11:30 AM:
we need to move to the woody species

Matuszko, Jan 11:30 AM:
ok. let's move.

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Peck, Charles 11:31 AM:
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Matuszko, Jan 11:32 AM:
We are meeting again because our senior level folks told us to do so. Best thing we can do is steer the conversation the way we wish to go. Remember, there are folks from Alex's office listening so we need to make sure our voice is heard too. and that we are working with industry.

Farruggia, Frank 11:32 AM:
yep, thanks!

Matuszko, Jan 11:33 AM:
perfect meg.

Peck, Charles 11:33 AM:
Ex. 5 Deliberative Process (DP)

Farruggia, Frank 11:33 AM:
nice!

Corbin, Mark 11:33 AM:
exactly

Wagman, Michael 11:37 AM:
Ex. 5 Deliberative Process (DP)

Anderson, Brian 11:38 AM:
other symptoms?

Corbin, Mark 11:39 AM:
Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Matuszko, Jan 11:41 AM:
you want to ask?

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Matuszko, Jan 11:42 AM:
good response Frank!

Wagman, Michael 11:42 AM:

how did their **Ex. 5 Deliberative Process (DP)**

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VSI, height, weight, branching pattern, yield loss, defoliation etc.... are all possible responses in a tree. There are limited number of observable endpoints in terms of a study. The greenhouse design doesn't allow for measurement of yield; branching pattern is too variable so N would be huge; defoliation and biomass loss will be captured by the dry weight measure

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They keep telling us they want us to talk to Norsworthy. Rather than ask them for that paper, we should check in with Norsworthy and ask him about the Bayer product too.

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this paper wasn't responding to us. we wanted to know what she just said regarding their field studies

Farruggia, Frank 11:53 AM:

I agree about talking with N about the paper and the product. Next week?

Matuszko, Jan 11:54 AM:

before we talk to bayer next would be ideal.

Farruggia, Frank 11:59 AM:

I need to jump off line to get some school errand done, but will be back after lunch.

Message

From: Matuszko, Jan [matuszko.jan@epa.gov]
Sent: 9/2/2020 3:54:06 PM
To: Odenkirchen, Edward [Odenkirchen.Edward@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Wagman, Michael [Wagman.Michael@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]; Harwood, Douglas (Ethan) [harwood.douglas@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]
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Message

From: Cole, Joseph E. [cole.josephe@epa.gov]
Sent: 5/1/2020 9:55:25 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
CC: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Subject: PTSLO Update on Dicamba Litigation
Attachments: Briefing Material for Dicamba II Litigation updated 5-1.docx

Flag: Flag for follow up

David,

We are providing the attached briefing paper in advance of a meeting we have scheduled with you on Monday morning. As you may recall, Matt is recused from this matter.

The Ninth Circuit heard arguments in this case on April 21st. On April 29th, the Court issued an order for supplemental briefing on whether Bayer's product, Xtendimax, is the only pesticide registration before the Court. The Court indicated that it would be assisted by more sustained briefing as the parties appear to disagree on the scope of the petitioner's challenge. The petitioners' brief contained a footnote that asserted the challenge encompassed other dicamba herbicide varieties, while EPA's brief contends the Court only has jurisdiction over the Xtendimax product.

PTSLO staff met with DoJ today and are working on the supplemental brief. We look forward to providing an update to you on dicamba and the status of the brief preparation in this case. The briefs are due 14 days from the Court's order on Wednesday, April 29th.

Please let me know if you need anything else in advance of the meeting. Thanks.

Joe

Joseph E. Cole
Associate General Counsel
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5583

Message

From: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Sent: 6/25/2020 10:28:44 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: RE: dicamba rehearing

Thank you for these edits. I have sent them along to PTSLO, and we will work to get you something in the timeline you set out below.

Thanks,
Kamila

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Thursday, June 25, 2020 5:43 PM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: RE: dicamba rehearing

Thanks very much, Kamila. I've tracked comments and edits on top of your suggestions. This did not read like PTSLO's best work product; it needs more refinement before it's ready to share with Alex or the Administrator. Could you work with PTSLO to improve this and get a draft back to me by COB tomorrow (or Monday at the latest)? Thanks again.

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Sent: Wednesday, June 24, 2020 6:36 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: dicamba rehearing

Please see attached. I made substantive comments/edits in track changes, but also reworked some formatting outside track changes as doing so in redline rendered the document incomprehensible. Happy to run a comparison between this and the original if you'd prefer.

Thanks,
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From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 4:43 PM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: RE: dicamba rehearing

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To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: RE: dicamba rehearing

David,

Attached is a draft of the memo you requested ready for your review.

Thanks,
Erin

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To: Koch, Erin <Koch.Erin@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: RE: dicamba rehearing

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Could you please prepare a 1-2 pager for Alex and subsequently the Administrator that lays out the rehearing considerations. I envision something that tracks the following outline:

Ex. 5 AC/AWP/DP

Please work with Kamila on a draft and send to me for review when it's ready. Thanks!

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Office of General Counsel
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Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Koch, Erin <Koch.Erin@epa.gov>

Sent: Thursday, June 18, 2020 5:26 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>

Subject: dicamba rehearing

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Ex. 5 AC/AWP/DP

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Let me know if you have questions,

Erin S. Koch
Pesticides and Toxic Substances Law Office
Office of General Counsel
US EPA
202-564-1718

Message

From: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Sent: 6/24/2020 10:36:06 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: RE: dicamba rehearing
Attachments: draft rehearing memo.6.24.20.docx

Flag: Flag for follow up

Please see attached. I made substantive comments/edits in track changes, but also reworked some formatting outside track changes as doing so in redline rendered the document incomprehensible. Happy to run a comparison between this and the original if you'd prefer.

Thanks,
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Subject: RE: dicamba rehearing

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Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: RE: dicamba rehearing

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Could you please prepare a 1-2 pager for Alex and subsequently the Administrator that lays out the rehearing considerations. I envision something that tracks the following outline:

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David

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Tel: +1 202.564.1976
fotouhi.david@epa.gov

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Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: dicamba rehearing

David,

The internal deadline for letting DOJ know EPA's recommendation on rehearing in the dicamba case was Wednesday. Given the emergency motion filed by petitioners, the date by when we must file for rehearing could change, but if the Court doesn't reopen the mandate, we would need to seek rehearing by July 18.

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Let me know if you have questions,

Erin S. Koch
Pesticides and Toxic Substances Law Office
Office of General Counsel
US EPA
202-564-1718

Message

From: Cole, Joseph E. [cole.josephe@epa.gov]
Sent: 6/7/2020 1:57:45 AM
To: Fotouhi, David [Fotouhi.David@epa.gov]; Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Subject: RE: Update on dicamba
Attachments: Keigwin declaration motion for recall 9 PM.docx; Carrie Meadows declaration 9 PM.docx

David,

We hope to get you a draft of the entire draft cancellation order before the meeting tomorrow, but wanted to provide you a summary of the order, and the draft declarations in support of the motion, to add some more detail to the approach that we've been developing. The declaration from Rick Keigwin helps to explain more clearly how the process works. In addition, we provided responses below to points in your email for explanation and discussion tomorrow. We do not yet have a draft motion to share for your review.

Summary from the cancellation order:

Ex. 5 AC/AWP/DP

Response to your email:

Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

We look forward to discussing with you tomorrow. Please let me know if you have need anything else before the meeting. Thanks.

Joe

Joseph E. Cole
Associate General Counsel
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5583

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Saturday, June 6, 2020 6:29 PM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Subject: RE: Update on dicamba

I'm happy to talk tomorrow if that would be helpful—I'm generally available.

Regarding the options below, **Ex. 5 AC/AWP/DP**

Ex. 5 AC/AWP/DP

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Sent: Saturday, June 6, 2020 4:24 PM
To: Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: Update on dicamba

Hi Joe,

Thanks for this update. I'm adding David – perhaps we can schedule a group call sometime today or tomorrow to discuss? David, what would work for you?

Thanks,
Kamila

From: Cole, Joseph E. <cole.josephe@epa.gov>
Sent: Saturday, June 6, 2020 4:09 PM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: Update on dicamba

Kamila,

Please see email below from the PTSLO team. As a result of additional discussion with DOJ last night and today, we wanted to share this information for your consideration. Staff is continuing to work on the path as indicated from David and are making good progress on declarations and a draft cancellation order, but I think it would be beneficial to have a discussion with you and David on some issues relating to this before Monday.

I wanted to send this to you first for your consideration; I'll follow up with a call shortly. Thanks.

Joe

Joseph E. Cole
Associate General Counsel
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5583

From: Koch, Erin <Koch.Erin@epa.gov>
Sent: Saturday, June 6, 2020 3:27 PM
To: Knorr, Michele <knorr.michele@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: RE: as discussed - draft update email for Joe to send to FO

Revised below

Attorney Work Product

The following provides the latest on where we are on the motion to recall. We have spent a while speaking with DOJ to understand how to best draft this motion. In doing so, we have encountered a few issues that we would like to discuss with you. These are presented below.

Options for Motion to Recall (discussed with DOJ)

Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

Michele L. Knorr, Attorney
Pesticides and Toxic Substances Law Office
Office of General Counsel
202-564-5631

Message

From: Fotouhi, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FEBAF0D56AAB43F8A9174B18218C1182-FOTOUHI, DA]
Sent: 5/1/2020 10:10:30 PM
To: Cole, Joseph E. [cole.josephe@epa.gov]
CC: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Subject: Re: PTSLO Update on Dicamba Litigation

Thank you, Joe. Look forward to discussing on Monday.

Sent from my iPhone

On May 1, 2020, at 5:55 PM, Cole, Joseph E. <cole.josephe@epa.gov> wrote:

David,

We are providing the attached briefing paper in advance of a meeting we have scheduled with you on Monday morning. As you may recall, Matt is recused from this matter.

The Ninth Circuit heard arguments in this case on April 21st. On April 29th, the Court issued an order for supplemental briefing on whether Bayer's product, Xtendimax, is the only pesticide registration before the Court. The Court indicated that it would be assisted by more sustained briefing as the parties appear to disagree on the scope of the petitioner's challenge. The petitioners' brief contained a footnote that asserted the challenge encompassed other dicamba herbicide varieties, while EPA's brief contends the Court only has jurisdiction over the Xtendimax product.

PTSLO staff met with DOJ today and are working on the supplemental brief. We look forward to providing an update to you on dicamba and the status of the brief preparation in this case. The briefs are due 14 days from the Court's order on Wednesday, April 29th.

Please let me know if you need anything else in advance of the meeting. Thanks.

Joe

Joseph E. Cole
Associate General Counsel
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5583

<Briefing Material for Dicamba II Litigation updated 5-1.docx>

Message

From: Fotouhi, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FEBAF0D56AAB43F8A9174B18218C1182-FOTOUHI, DA]
Sent: 6/25/2020 9:43:14 PM
To: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
Subject: RE: dicamba rehearing
Attachments: Edits draft rehearing memo.6.24.20.docx

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US EPA
202-564-1718

Message

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Sent: 6/9/2020 2:05:54 AM
To: Andrew Varcoe [Andrew.R.Varcoe@who.eop.gov]; Jonathan Brightbill [Jonathan.Brightbill@usdoj.gov]
Subject: Fwd: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

FYI

Sent from my iPhone

Begin forwarded message:

From: EPA Press Office <press@epa.gov>
Date: June 8, 2020 at 7:26:42 PM EDT
To: "Fotouhi, David" <Fotouhi.David@epa.gov>
Subject: EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations
Reply-To: press@epa.gov

EPA Offers Clarity to Farmers in Light of Recent Court Vacatur of Dicamba Registrations

WASHINGTON (June 8, 2020) — Today, the U.S. Environmental Protection Agency (EPA) issued a key order providing farmers with needed clarity following the Ninth Circuit Court of Appeals' June 3, 2020 vacatur of three dicamba registrations. Today's [cancellation order](#) outlines limited and specific circumstances under which existing stocks of the three affected dicamba products can be used for a limited period of time. EPA's order will advance protection of public health and the environment by ensuring use of existing stocks follows important application procedures.

"At the height of the growing season, the Court's decision has threatened the livelihood of our nation's farmers and the global food supply," said **EPA Administrator Andrew Wheeler**. "Today's cancellation and existing stocks order is consistent with EPA's

standard practice following registration invalidation, and is designed to advance compliance, ensure regulatory certainty, and to prevent the misuse of existing stocks.”

EPA’s order will mitigate some of the devastating economic consequences of the Court’s decision for growers, and particularly rural communities, at a time they are experiencing great stress due to the COVID-19 public health emergency.

Details of the Order

EPA’s order addresses sale, distribution, and use of existing stocks of the three affected dicamba products - XtendiMax with vapor grip technology, Engenia, and FeXapan.

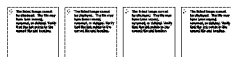
1. Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.
2. Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product’s previously-approved label, and may not continue after July 31, 2020.

Background

On June 3, 2020, the Ninth Circuit Court of Appeals issued an order vacating EPA’s pesticide registrations containing the active ingredient dicamba: Xtendimax with Vaporgrip Technology (EPA Reg. No. 524-617); Engenia - (EPA Reg. No. 7969-345); and FeXapan - (EPA Reg. No. 352-913).

Dicamba is a valuable pest control tool that farmers nationwide planned to use during the 2020 growing season. Since the Court issued its opinion, the agency has been overwhelmed with letters and calls from farmers citing the devastation of this decision on the millions of acres of crops, millions of dollars already invested by farmers, and threat to America’s food supply.

<!--[if !mso]>[Visit The EPA's Newsroom](#)<!--[endif]>



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)



Message

From: Fotouhi, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FEBAF0D56AAB43F8A9174B18218C1182-FOTOUHI, DA]
Sent: 6/5/2020 1:16:58 PM
To: Hope, Brian [Hope.Brian@epa.gov]
Subject: RE: Cotton Industry Concerns Regarding Dicamba Decision

Thanks!

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Hope, Brian <Hope.Brian@epa.gov>
Sent: Friday, June 5, 2020 9:17 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Subject: FW: Cotton Industry Concerns Regarding Dicamba Decision

This is the only other email we've received re. the dicamba decision so far.

From: Hope, Brian
Sent: Friday, June 5, 2020 7:37 AM
To: CMS.OEX <CMS.OEX@epa.gov>
Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Molina, Michael <molina.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
Subject: FW: Cotton Industry Concerns Regarding Dicamba Decision

Reading file

From: Gary Adams <gadams@cotton.org>
Sent: Thursday, June 4, 2020 5:37 PM
To: Wheeler, Andrew <wheeler.andrew@epa.gov>
Cc: Gunasekara, Mandy <gunasekara.Mandy@epa.gov>; Reece Langley <rlangley@cotton.org>; Steve Hensley <shensley@cotton.org>; Don Parker <dparker@cotton.org>; Bill Norman <bnorman@cotton.org>; Craig Brown <cbrown@cotton.org>
Subject: Cotton Industry Concerns Regarding Dicamba Decision

Dear Administrator Wheeler,

I am sure that you share the cotton industry's concerns regarding the recent decision by the three-judge panel of the 9th Circuit Court to vacate the registration of dicamba formulations Xtendimax, FeXapan, and Engenia herbicides previously approved for over-the-top use on dicamba-tolerant crops. The vacatur comes at the most inopportune time for producers as the majority of cotton acres are planted to dicamba-tolerant varieties. With crops having already emerged along with the emergence of multiple weed species, timely herbicide applications are now in serious jeopardy. Faced with a crisis of what, if any, effective weed-control options they have, producers face additional financial costs and uncertainty in terms of implementing a different weed management plan. Meanwhile, the weeds continue to grow, thus jeopardizing the ability to control the weeds with any product.

To address this unjustified court action, we urge EPA to immediately take action that would allow the use of existing stock of dicamba formulations or other administrative actions that would provide growers immediate ability to legally implement their weed control actions. Additionally, we would support EPA's appeal of the ruling to the full 9th Circuit panel.

Thank you for your attention to this critical issue. Our staff is available for discussion or questions.

Sincerely,
Gary Adams
President & CEO
National Cotton Council